

Varsity Park Homeowners Association
Board of Directors Meeting
May 28, 2024
Location: Campus Park Clubhouse

Secretary Jamie Mitchell called the meeting to order at 6:15 P.M. Also present:
Katalin O'Brien, Treasurer
Naren Gunasekera, Member-at-Large
John Snee, GM Management
Homeowners per sign in sheet

Homeowner's Comments

The homeowners in attendance discussed the following: landscape and tree issues, as well as building maintenance items; using a clubhouse for a community block party (the board advised any such vendor would be required to provide proof of insurance);

The board reminded the owners that any maintenance/service requests for HOA items should be directed to GM Management, rather than directly to the HOA's vendors/contractors.

Minutes

Naren made a motion to approve the regular and executive session minutes of the April, 2024 meeting. Katalin seconded and the motion carried.

Committees

Rules Committee – Daniel O'Brien updated the board on the proposed changes. John Snee advised that notice of proposed changes must be distributed by personal or general delivery to the owners 28 days before the board votes to adopt the changes.

Financial

John Snee presented the Financial Report.

Management

John Snee presented the Manager's Report.

HOA Business

General repairs – Naren advised that the Handyman Team has been doing proactive, ongoing maintenance and checking the buildings and common area for needed repairs and the board thanked Kathy for her efforts.

Pools/clubhouses – The board advised that the Marquette clubhouse is not yet available for rental. The board discussed if "no smoking" signs should be installed in the pool areas.

Naren advised he attended a seminar with the Fire Marshal and obtained information that he will forward to the board.

Gopher treatment – John Snee advised that CTR confirmed Wildlife Management would charge \$200 per month to do gopher abatement in the entire common area. Kathy moved to approve the bid. Jamie seconded and the motion carried.

Adjournment of Regular Session Meeting: 6:50 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
April 23, 2024
Location: Campus Park Clubhouse

Secretary Jamie Mitchel called the meeting to order at 6:04 P.M. Also present:
Katalin O'Brien, Treasurer
Naren Gunasekera, Member-at-Large
John Snee, GM Management
Matt Jackson, Jackson Insurance
Homeowners per sign in sheet

Guest Speaker

Matt Jackson addressed the board and homeowners regarding insurance.

Homeowner's Comments

John Dyke discussed the landscape and tree issues with some jacaranda tree branches touching some buildings. The board advised that they are looking at getting the HOA Firewise certified and are reviewing trees to be trimmed.

Stacy Fontana discussed landscape matters, Pine trees and parking violations.

Steve Lewis addressed the board regarding replacing his door bell, landscape items and handyman team performance and adding weather stripping to the bottom of his garage door.

Martin Poot addressed the board regarding a crack at the sliding glass door on the balcony. The board asked him to send photos so this could be reviewed by the handyman team. Martin also discussed a violation notice and reimbursement assessment.

Rebecca Flemming addressed the board regarding construction matters.

Jennifer Geidel addressed the board regarding the flat roof over the garage. The board advised they would be reviewing three proposals during executive session.

Cheri Toyen thanked the board for their quick response time on various requests.

Minutes

Jamie made a motion to approve the following meeting minutes: executive meeting of February 1, 2024; regular and executive meetings of February 27, 2024; regular and executive meetings of March 10, 2024. Naren seconded and the motion carried.

Committees:

Naren made a motion to approve and confirm the membership of the following committees:

Landscape – Naren Gunasekera, Rosane Azettat, Derek Krauss, Erick Arellano

Rules – Jamie Mitchel, Hans Pasricha, Rebecca Flemming, Daniel O'Brien

The motion was seconded and carried.

Financial

John Snee presented the Financial Report.

Collections –

Naren made a motion to approve the recording of subsequent liens on GMVP-50-20A-2 and GMVP-64-09B-3. The motion was seconded and carried.

Management

John Snee presented the Manager's Report.

John Snee announced that the HOA was recently served with a lawsuit/summons from a former tenant for a trip/fall claim and that the board has turned this matter over to the Association's insurance carrier.

HOA Business

Landscape – The board discussed landscape matters and that trees will be reviewed for the 2024 tree trimming project.

General Repairs – The board discussed the status of several ongoing repair projects.

Arch Change Requests – 15151-E Varsity: request to install aluminum pergola in patio. Naren moved to approve this request, subject to owner providing copies from city showing approval from city. Jamie seconded and the motion carried.

Summary of previous Executive Meetings

February 1, 2024 – the board discussed contracts, legal and personnel matters.

February 27, 2024 – the board discussed homeowner violations/fines and delinquencies, as well as contracts, personnel and legal matters.

March 10, 2024 – the board discussed personnel and contracts.

Adjournment of Regular Session Meeting: 7:14 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
February 27, 2024

Location: Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:02 P.M. Also present:

John Dyke, Vice President

Katalin O'Brien, Treasurer

Jamie Mitchell, Secretary

Naren Gunasekera, Member-at-Large

John Snee, GM Management

Homeowners per sign in sheet

Homeowner's Comments

The homeowners in attendance discussed individual water meters (the board advised this is no longer under consideration); a loose dog that threatens to attack other residents/pets (the board advised violation notices have been sent but that owners/residents should always immediately notify animal control); tot lots, swimming pools; flat roof and rain gutter leaks; late fees; balcony wood rot; landscape maintenance performance issues/concerns; outside garage assignments and ownership; requested payments from a former board member for roof project management (the board advised this would not be paid); an owner requested permission to install an exterior door at the side of her building; electronic dog leashes; commercial signs,

Committees

Rules Committee: Daniel O'Brien discussed that the committee is making progress on recommended changes and will share with the board, soon. The board and committee also discussed the proper procedures for committee formation and member appointment. John Snee advised that the committees serve at the pleasure of the board and are formed to advise the board. It is also up to the board to vote on committee membership.

Landscape/Firewise Committee – Jamie advised that he resigned from the committee.

Minutes

John Dyke made a motion to approve the corrected regular and executive session minutes of the January, 2024 meeting. Jamie seconded and the motion carried.

Financial

John Snee presented the Financial Report.

Repayment to Reserves for loan to pay 2023-2024 insurance premium – No update

Management

John Snee presented the Manager's Report.

HOA Business

Landscape – Laura discussed that the board is looking at hiring a landscape architect to assist with redesigning the landscape to save water. The board discussed that some members have met with reps from Firewise and the board is looking to enroll the HOA in the program to become Firewise Certified as a way to possibly save on insurance premiums.

Naren advised that he would cc John Snee on an email to the city with request for original landscape/tree plans for the properties.

Collections

Laura moved to record a lien against the following owners/units for non-payment of HOA assessments and to turn them over to Alterra: GMVP5138B4, GMVP5151D6, GMVP6590C5. John D. seconded and the motion carried.

Summary of Executive Session from January, 2024 Meeting – The board discussed homeowner violations/fines and delinquencies, as well as contracts and personnel matters.

Adjournment of Regular Session Meeting: 7:17 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
January 23, 2024
Location: Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:02 P.M. Also present:
John Dyke, Vice President
Katalin O'Brien, Treasurer (Telecom)
Jamie Mitchell, Secretary
Naren Gunasekera, Member-at-Large
John Snee, GM Management
Homeowners per sign in sheet

Homeowner's Comments

The homeowners in attendance discussed the following items: speed limit signs and traffic safety concerns; roof shingle project status; Roger Mickish request for payment as Roof Project Lead; parking concerns; installing individual water meters at each unit (the board advised this project would require amending the CC&Rs); patio landscape/tree maintenance and rodent issues; availability of green yard waste bins from W.M.

Minutes

John Dyke made a motion to approve the regular and executive session minutes of the December, 2023 meetings. Laura seconded and the motion carried.

Financial

John Snee presented the Financial Report.

Management

John Snee presented the Manager's Report.

HOA Business

Roger Mickish Request for Payment as Roof Project Lead – Roger requested that this matter be discussed with the board during executive session because it involves an alleged contract dispute. The board advised that no written contract has been furnished, nor has Roger provided any evidence that previous boards authorized such payment, so the matter would be discussed only during open session. The board further advised that while the board may elect to discuss contract related matters during closed session, there is no legal requirement to do so. Mr. Mickish acknowledged there is no written contract, but stated that a written contract is not required because a prior board authorized this work and that this amounts to a binding contract. The board denied the request to move the matter to Executive Session.

Mr. Mickish was serving as a board member at the time he claims to have been under contract as roof project lead. Naren read a section from the bylaws stating that board members may not receive payment for services performed in the conduct of the Association's business, and furthermore, the amount of > \$12k being requested is unreasonably high. In response to legal questions asked by homeowners, John Snee advised the board against discussing the matter further during open session and to take up any related legal/contract matters during closed session.

Some owners asked if the management company could stop boards from approving such work by board members. John Snee advised there are certain checks in place, including an annual accounting review or audit by an independent CPA, and the property manager advises the board, but ultimately the manager has no voting power and such decisions are ultimately up to the board.

Mr. Mickish's request for payment was denied (no motion was made to make the payment).

Insurance –

Firewise – Naren reported that he and some board members reviewed the properties with a Firewise representative who made recommendations about getting the community certified, which may help with the Association's insurance premiums. Naren will reach out to some landscape architects to discuss ways to implement the recommendations and report back to the board. The board agreed that balcony wood repairs will be placed on hold pending clarification from Firewise about what materials are allowed.

Landscape –

The board discussed ways to address rodent complaints and asked John Snee to obtain more proposals that did not include using poisonous bait stations.

Summary of December 7, 2023 Executive Session

The board discussed homeowner delinquencies, violations and fines as well as contracts and legal matters. The board also discussed handyman personnel matters.

Summary of December 15, 2023 Executive Session

The board voted at the December 15, 2023 executive meeting to foreclose on APN 514-0-093-345.

The board voted at the December 15, 2023 executive meeting to foreclose on APN 514-0-102-465, but to postpone for 30 days if there are no bidders.

Adjournment of Regular Session Meeting: 7:02 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
December 7, 2023
Location: Campus Park Clubhouse

Vice President John Dyke called the meeting to order at 6:03 P.M. Also present:
Laura Monteverde, President
Katalin O'Brien, Treasurer
Jamie Mitchell, Secretary

Naren Gunasekera, Member-at-Large
John Snee, GM Management
Homeowners per sign in sheet

Homeowner's Comments

Steve Lewis, 6412-A Penn, addressed the board regarding landscape maintenance. The board directed John Snee to ask CTR if they would collect bags with leaves if owners left them at the curb.

Kelly and Steve Carney, 15136-C Varsity, addressed the board regarding landscape maintenance, handyman team duties, trash collection services and the roof project. The board advised that a notice was sent to all owners recommending they check the duct connections at the furnace and water heater. This was also indicated on the flyers posted at each building prior to the start of roof construction. Kelly advised that she would submit photos to management showing damage to their rain gutter that allegedly occurred during roof repairs after a wind storm blew tree limbs onto the roof.

Minutes

John Dyke made a motion to approve the regular and executive session minutes of the November 9, October 29 and October 24, 2023 meetings. Jamie seconded and the motion carried.

Financial

John Snee presented the Financial Report.

Management

John Snee presented the Manager's Report.

HOA Business

Street Sweeping – Laura moved to add an additional day of sweeping service in December and January due to all of the leaves, dirt, debris. The motion was seconded and carried.

Roof Project Nearing Completion – The board asked John Snee to send an email to all residents to be on the lookout for the notices that will be posted at the remaining detached garage buildings.

Collections:

John Dyke made a motion to approve the recording of a subsequent lien against account GMVP5020A2 for non-payment of HOA assessments. The motion was seconded and carried.

Adjournment of Regular Session Meeting: 6:48 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
October 24, 2023
Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:08 P.M. Also present:
John Dyke, Vice President
Katalin O'Brien, Treasurer
Jamie Mitchell, Secretary
Naren Gunasekera, Member-at-Large
John Snee, GM Management
Homeowners per sign in sheet

Annual Meeting

Not enough ballots were received to establish a quorum. John D. Moved to not make a second attempt. Kathy seconded and the motion carried.

Approval of Open Session Minutes

John D. made a motion to approve the regular and executive session minutes of the September, 2023 meeting. Jamie seconded and the motion carried.

Homeowner's Comments (limited to 3 minutes per household)

Ryan Ahearn 15054-F addressed the board regarding the Pine tree in front of his unit. Laura reported that the board will be voting on the winning proposal to remove the tree at tonight's meeting, executive session.

Steve Lewis 6412-A discussed the roof project and exhaust vents.

Jennifer Geidel 6440-A addressed the board regarding the status of her flat roof repairs.

Daniel O'Brien 6516-E discussed water stains on his ceiling.

Rosane Azettat 15112-D discussed parking concerns.

Committee Reports

Landscape Committee (Eric Arellano, Derek Krauss, Rosane Azettat, Laura Monteverde) – Laura will reach out to the committee members about setting up a meeting.

Rules Committee – Daniel O'Brien reported that he, Hans and Shari are going to meet next month to review the rules. Laura Monteverdi expressed interest in joining the committee. Naren offered to meet with Cal Fire to review what should be incorporated into the rules regarding landscape items so the HOA can maintain code compliance.

Financial Business & Reports

John Snee presented the Financial Report. Kathy and Laura reported having difficulty accessing the website for CIT.

Manager's Report

John Snee presented the Manager's Report.

John Snee advised that, per AAR, installing a manual switch to control the solar attic vent fan would have no effect on the warranty.

Kathy requested to be given the contact info for First Insurance Funding so she can gain online access.

HOA Business

Landscape – Laura reported that a small pine tree was removed for \$30. She has walked the properties with Yvette from CTR to review the landscape with a focus on keeping the hedges and shrubs properly trimmed.

Asphalt Repairs – John Dyke reported that the hole in the asphalt in front of 15110 will be repaired on Monday. It was scheduled for today, but it conflicted with the roof work.

Clubhouses – The board discussed the status of upgrades, such as installing another ceiling fan, painting the interior and refurbishing the restrooms.

The board discussed adding HOA meeting notice signs to the entry signs on Penn and Marquette.

Summary of Executive Session, September 26, 2023 Meeting

The board discussed homeowner violations/fines and delinquencies.

Collections –

These minutes hereby reflect that the board voted during executive session at the September 2023 meeting to foreclose on APN 514-0-092-115 for non-payment of HOA assessments.

Adjournment of Regular Session Meeting: 7:15 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association **Board of Directors Meeting** **September 26, 2023** **Campus Park Clubhouse**

Board President Laura Monteverde called the meeting to order at 6:02 P.M. Also present:
John Dyke, Vice President
Katalin O'Brien, Treasurer
Jamie Mitchell, Secretary
Naren Gunasekera, Member-at-Large (Arrived at 7:35 P.M.)

John Snee, GM Management
Homeowners per sign-in sheet

Approval of Open Session Minutes

Jamie made a motion to approve the regular session minutes of the August, 2023 meeting. John Dyke seconded and the motion carried.

Homeowner's Comments (limited to 3 minutes per household)

The owners in attendance discussed landscape maintenance and plans for improvements, especially where trees were previously removed; parking issues, fire insurance, the irrigation system, the recently completed water use survey report from the city and changing to individual water meters per unit; a dead Pine tree by 15054 and 15066; options to install a switch to activate the new solar attic fans after dark. Eric Arellano, Derek Krauss and Rosane Azettat volunteered to serve on a landscape committee.

Committee Reports

Rules Committee – Jamie reported that the committee is still reviewing the governing documents and will make recommendations to the board for proposed changes.

Landscape Committee – Laura moved to create a landscape committee comprised of the following members: Eric Arellano, Derek Krauss and Rosane Azettat, with Laura Monteverde as committee chair. Jamie seconded and the motion carried.

Financial Business & Reports

John Snee presented the Financial Report.

Laura moved to close the Chase accounts and transfer the funds to First Citizens. The motion was seconded and carried.

Manager's Report

John Snee presented the Manager's Report.

The board discussed the Appfolio statements and asked management if any changes can be made so as to reduce confusion. If payment history is to be included on the statements, it should only show the current month's dues once, as an unpaid charge.

HOA Business

Landscape – Laura discussed that she has received some proposals for landscape maintenance from some contractors, but that she is still awaiting some more. Naren will obtain a list of fire safe plants from Cal Fire Wise and share with the board.

Roof status – John Dyke reported that Jered and Jack are compiling a list of missing roof vents that will be shown to AAR and he recommended these be replaced. The board also discussed that some of the roof rain water diverters that were removed by AAR have either not been installed or have been reinstalled in the incorrect locations.

Water Meters – The board discussed the MeterNetUSA proposal to bill the unit owners individually, and agreed the process should continue moving forward.

Collections –

Laura made a motion to record a lien against account # GMVP-51-51B-3 for outstanding/delinquent HOA assessments and to turn the file over to Alterra. The motion was seconded and carried.

Adjournment of Regular Session Meeting: 8:01 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
August 22, 2023
Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:02 P.M. Also present:
Katalin O'Brien, Treasurer
Jamie Mitchell, Secretary
John Snee, GM Management
Yvette Bocz, CTR Landscape
Alex, CTR Landscape
Homeowners per sign in sheet

Absent

John Dyke, Vice President
Naren Gunasekera, Member-at-Large

Approval of Open Session Minutes

Laura made a motion to approve the regular and executive session minutes of the July, 2023 meeting. Jamie seconded and the motion carried.

Homeowner's Comments (limited to 3 minutes per household)

The homeowners in attendance discussed the following items: community lighting; cars stored on Penn street; painting parking stall lines on the streets; issues with the ongoing roofing project, including water leaks, and nails in the driveway; the HOA assessment amount; plumbing items; landscape items; the upcoming annual members meeting; changing the bylaws to reduce annual meeting quorum requirements.

Committee Reports

Rules Committee – Jamie reported that he and the other members are working on recommended revisions to the rules.

The board discussed creating a landscape committee.

Financial Business & Reports

John Snee presented the Financial Report. The board asked John to follow up on the following items and report back to the board: insurance premium payments and a late fee; board member online access to bank accounts; work comp. insurance payment to Farmers; a returned deposit on 7/31/23; Franklin Templeton reserve balance clarification; the HOA statements from Appfolio do not indicate what month is due.

Kathy made a motion to change the deadline for receipt of dues payments to the 15th rather than month-end. The motion was seconded and carried.

Manager's Report

John Snee presented the Manager's Report.

HOA Business

Landscape – Yvette and Alex from CTR Landscape addressed the board and homeowners and answered questions regarding landscape maintenance. They reported that the water district recently conducted an audit of the system and the report will be available soon. They have been repairing broken sprinklers as well as a main line near the Marquette pool. A lateral line in the Penn parking planter was also repaired. Yvette also reported that two controllers need to be replaced soon and that she has submitted rebate requests with the water district. The board and owners discussed creating a tree review committee before the next round of tree trimming.

Annual Meeting – Hans Pasricha announced that he had accepted the request to be the inspector of elections at the upcoming annual meeting and directed that the ballots shall be mailed to GM Management.

Clubhouse/Pool Events – The board discussed the requirements for owners/residents who wish to hire vendors to provide food and/or entertainment at events.

Parking Rules – The board and some homeowners discussed painting stall lines on the streets and requiring permits to park on the private streets.

General Repairs, Roofs – The board asked John Snee to see if AAR has photos they can share that show the water penetration points at the roof and/or interior of the units at 6516 Marquette.

Action John Snee: Instruct AAR to do the shingle roof replacement at the buildings along the 118 fwy. corridor after they are finished with the Marquette buildings.

Summary of July, 2023 Executive Session

The board discussed homeowner delinquencies and fines, as well as the status of the lawsuit filed against the HOA for the wind/tree damage event from January, 2021.

The board voted to foreclose on APN 514-0-102-275 during executive session at the July 25, 2023 HOA meeting for non-payment of HOA assessments.

Adjournment of Regular Session Meeting: 7:42 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
July 25, 2023
Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:00 P.M. Also present:
John Dyke, Vice President
Katalin O'Brien, Treasurer
Jamie Mitchell, Secretary
Naren Gunasekera, Member-at-Large
John Snee, GM Management

Homeowners per sign in sheet.

John Snee read the July 19, 2023 letter from the board of directors into the record, copy of which is attached to the end of these minutes.

Approval of Open Session Minutes

John Dyke made a motion to approve the following meeting minutes: July 14, 2023 Budget Meeting, July 7, 2023 Budget Meeting, June 27, 2023 Board of Directors meeting (open and executive sessions), June 17, 2023 (10:18 AM) Budget Meeting. Laura seconded and the motion carried.

Homeowner's Comments (limited to 3 minutes per household)

The homeowners in attendance and board discussed the following: landscape maintenance, water usage (leaks, making timely repairs, scrutinizing the water bills, metering usage at each individual unit and charging back the fees to each owner/unit), insurance premiums, dues increase, delinquencies and collection methods at the board's disposal,

Committee Reports

Landscape Committee –

The committee advised that some members would be meeting soon with reps from the water district and CTR Landscape to review ways to reduce usage. The water district will review the watering system and issue a report with recommendations.

Rules committee –

Jamie reported he and Daniel O'Brien are reviewing the rules and will be submitting their report, soon.

Financial Business & Reports

John Snee presented the Financial Report. Katalin currently has online access to Edward Jones and Chase. Franklin Templeton does not have online access available. John Snee reported that the board will have online access to the First Citizens account, soon. The transition from Pacwest to First Citizens is underway and should be completed, soon.

Kathy reported that she redeemed \$250,000 from Franklin-Templeton and that a check is being sent to GM Management for deposit to the First Citizens reserve account and this will take approximately 10 days to process. John Dyke made a motion to approve this transfer of funds. Naren seconded and the motion carried.

Jamie made a motion to approve the transfer of \$171,000 from reserves to operating as a short term loan from reserves in order to pay the 30% down payment for the Arden property insurance premium. Laura seconded and the motion carried.

Kathy moved to approve the transfer of \$30,000 from Chase operating to Chase reserves as a short term loan so as to cover a recent payment to AAR. These funds will be moved back to operating from reserves as soon as is practicable. The motion was seconded and carried.

Manager's Report

John Snee presented the Manager's Report.

HOA Business

General Repairs –

Stair Railings – Kathy reported that she is following up with her contact to review having stair railings installed throughout the properties.

Roofs – Kathy suggested only releasing progress payments for the roof project after each building is signed off by the city inspector.

Annual meeting – Laura moved that the inspector of elections be Hans Pasricha, Jennifer Geidel and/or Christine Frankiewicz. The motion was seconded and carried.

Pool Maintenance – Laura reported that, after reviewing proposals from multiple contractors, it makes more sense to continue having the handy man team take care of the pool maintenance and the rest of the board concurred.

Bids –

Private property signs – John D. made a motion to authorize Laura to have the final authority on the winning bid for the signs up to a maximum of \$500. Naren seconded and the motion carried.

Adjournment of Regular Session Meeting: 8:06 P.M.

Minutes taken and transcribed by John Snee of GM Management

July 19, 2023 letter from the board of directors:

July 19, 2023

To: Varsity Park HOA Homeowners

From: Varsity Park Board Members

Laura Monteverde – President, John Dyke – Vice President, Kathy O’Brien – Treasurer
Jamie Mitchell – Secretary and Naren Gunasekera – Member at Large

Subject: VPHOA Budget and Site Status

Dear Varsity Park HOA Members:

Budget: The board held three special meetings on June 17, July 7, and July 14, to specifically discuss the **budget for the 2023-2024 fiscal year**. The cost of fire insurance and water in California (even with the large amount of rain this past winter) has significantly increased over the past two years. This has affected Varsity Park HOA, as well as many private homeowners and other HOA’s in the state of California. The substantial cost increase is **not** exclusive to VPHOA.

The board recently received the new Fire insurance invoice for July 16, 2023 – July 15, 2024. The costs just for the fire insurance has increased by over \$80,000 for the year. The deadline to sign the insurance policy was July 16, 2023, and we had no choice but to accept this proposal. **The board is continuing to look at other insurance options to see if we can lower the cost sooner than next July. If anyone has any insurance background, we would welcome any input that could assist us with this process.**

In addition to the increased insurance premiums, there have been increases in most other expense categories. The roofing project is costing more than originally budgeted due to the replacement of rotted wood which is only discovered after “tear-off” and must be replaced before the new shingles can be installed.

Acknowledging this, We the board have worked very hard to see what expenses we could reduce to create a balanced budget for 2023/2024. With the substantial insurance rate increases over the past two years, the board has no choice but to **increase the monthly HOA dues by \$100 to \$604 per month, effective, September 1, 2023.*** We know that this is hard to hear, as we the board also pay the same dues as you and please know we did not make this decision lightly.

Even with the \$100 monthly increase, the budget is very tight, with little money for repairs and no money for large projects such as landscaping, pool resurfacing or clubhouse remodeling. We must keep our reserves well-funded, to reduce the likelihood of a major special assessment in the future. Currently, we are not comfortable spending any additional money from the reserve accounts until the roofs are completed.

Collections: Prior to two years ago, there was little effort made to collect past due accounts. On the recommendation of John Snee/GM Management the board hired Alterra Assessment Recovery to collect the unpaid dues, adding **interest, fines and filing property liens** on the homeowners. We have stepped up the collection process

for current and future delinquent homeowners and will **start collections after 3 months** of being past due. We plan to be very aggressive, using all means available to collect past due accounts; and have recently approved **filing for foreclosure on several delinquent owners**. We are taking this issue very seriously!

Maintenance: Unfortunately, due to lack of maintenance and upkeep of our grounds and facilities over the past several years, we now have many areas which need to be repaired, replaced, or updated. The board is assessing all areas of Varsity Park to determine what needs to be repaired/replaced and we are in the process of obtaining quotes, so when the roofs are completed we will know what we can proceed with.

Water Conservation: Our water costs, (which are included in your monthly dues) have also increased substantially over the past few years. To lower our water bills or at a minimum, maintain it from going over our budget, **we need everyone's help**. We ask that you please check your faucets for leaks and toilets to ensure they aren't running continuously. If repairs are needed, please make as soon as possible. A drip may be small, but it adds up quickly when you look at our complex of 257 units. Please report any sprinkler or outside plumbing leaks to John Snee at GM Management.

We are also implementing two new rules to save water until further notice. 1. No car washing on Varsity Park grounds. 2. No filling of large water tanks for personal businesses. Homeowners are responsible for informing their renters of these changes. We need everyone's cooperation in conserving water and keeping our water bills down.

Swimming Pools: Please NO GLASS BOTTLES OR CONTAINERS in the pool area. Children under the age of 14 are not allowed in the pool areas without adult supervision. Also, please make sure to clean up after your family and guests, return **(do not drag)** pool furniture back to where you found it, close and secure the umbrellas (due to possible wind hazards). Homeowners are responsible for the actions of their family members, guests and tenants.

Roofs: The roofing project is continuing along. Please keep a look out for the informational letters that All American Roofers are placing on doors prior to installation. The roofers will need access to the back patios, and you are required to move your cars, so they don't get damaged. If cars aren't moved, they may be towed to the street at the owner's expense. Also, if you have trees or bushes that overhang onto the roofs, it is your responsibility to cut them back.

One important note: for buildings that haven't had roofs replaced yet – please note that satellite dishes will be removed as needed to complete the proper repairs to the roof, facias and other areas involved with the roofing project. Once your roof is completed you will be responsible to contact your provider to have the dish reinstalled. Please note satellite dishes may not be mounted to the stucco. VPHOA is not responsible for damages to the dish during removal or for re-installation charges.

Board Meetings: Meetings will continue to be held at 6:00 P.M. at the Campus Park Clubhouse on the 4th Tuesday of every month except November/December. Our next board meeting is Tuesday, July 25, 2023 at 6:00 PM.

We want to encourage homeowners to participate in our HOA. Please consider joining a committee which can help achieve our goals. Here are some examples of committees: Reduce Insurance Rates and Update Current Rules & Regulations.

Also, consider giving GM Management your email address. This would help us save on copying and postage fees.

Please contact John Snee with any questions, concerns, or issues.

Sincerely,

Varsity Park HOA
Board of Directors

Varsity Park Homeowners Association Board of Directors
Meeting, Specifically Budget Discussion
July 14, 2023

Location: Campus Park Clubhouse

John Dyke called the meeting to order at 5:08 PM. Also present:

Kathy O'Brien, Treasurer

Jamie Mitchell, Secretary

Laura Monteverde, President

Naren Gunasekera – Member at Large

Roofers – made decision that we must see all roofs/facias before we sign checks and change orders. At least John S and one board member, two if possible.

Laura's Budget spreadsheet – using \$100 monthly due increase, balanced budget by stripping everything to bare bones including maintenance and landscaping.

Water – look at going with MeterNet – need 75% approval by owners

Discussion on budget –

Do we look at having \$20M coverage vs. what we have now? Odds of entire complex being burned out at one time? Continue working on quote from Randy

Pay insurance monthly, one down payment 30% then 8 monthly payments. Interest on this is just under \$5800 so reviewed budget and removed more line-item costs to cover this.

Vote – John motioned for \$100 monthly increase, Laura seconded, passed 5-0.

Next 90 days keep looking at budgets – landscape quote, trip hazards, irrigation, MeterNet and railings

Landscape – get a scope of work then have John S get more quotes so we compare apples to apples
Meeting adjourned 6:05 PM

**Varsity Park Homeowners Association Board of Directors
Meeting, Specifically Budget Discussion
July 7, 2023**

Location: Campus Park Clubhouse

John Dyke called the meeting to order at 6:02 PM. Also present:

Kathy O'Brien, Treasurer

Jamie Mitchell, Secretary

Laura Monteverde, President

Discussion around proposed budget John Snee sent out late afternoon on July 7, 2023.

Started discussion line by line of the proposed budget.

John S' proposed budget shows a \$412K shortfall vs. income

Looked at each line item to see if we can remove completely or lower the dollar amount given for a specific line item.

Back and forth discussion on different options for getting more income and removing costs

Jamie and Laura to read over Yvette's CTR proposed landscape contract and get a list so we can go out to bid for 3-4 other quotes for landscaping.

- Discussed removing fertilization and cutting back on irrigation repairs.

Made decision to tell AAR to leave the unattached garage roofs last. These are the HOA owned spare garages that are not connected to a homeowner's unit.

Options:

- One time assessment of \$380 to raise \$97,660
- Raise monthly fees by \$50 per month raising a total of \$154,200
- Raise monthly fees by \$100 per month raising a total of \$308,400

No additional hours or overtime for the handymen team.

Water – we need inform homeowners that there is to be no car washing, no filling of tanks (if this one homeowner is doing this) and fix all leaks inside the units and spigots front and back of units.

Final proposal before ending meeting:

- Raise monthly fees by \$100 to \$604 per month
- Laura – work on understanding the arrears process
- Kathy – work on all funds and where they are at and if better places to put our money since the Templeton account seems to lose money
- John D – main contact for roofers
- Jamie/Laura – Landscaping quotes

End meeting 8:08 PM

Varsity Park Homeowners Association
Board of Directors Meeting
June 27, 2023
Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:01 P.M. Also present:

John Dyke, Vice President

Katalin O'Brien, Treasurer

Naren Gunasekera, Member-at-Large

John Snee, GM Management

Homeowners per sign in sheet

Absent

Jamie Mitchell, Secretary

Approval of Minutes

John D. made a motion to approve the corrected regular minutes and executive minutes of the May, 2023 meeting. The motion was seconded carried.

Homeowner's Comments (limited to 3 minutes per household)

The homeowners in attendance discussed the anticipated dues increase and/or special assessments and insurance premiums, as well as the condition of the clubhouses, general maintenance, water expenses, getting volunteers to paint and do odd jobs around the common area, the process for getting architectural change requests approved, increasing police patrols and increasing safety in the community, purchasing heaters for the community pools, installing no smoking signs in the pool areas and whether food / taco stand vendors are permitted on the properties.

The board and some owners discussed forming the following committees: insurance, pool heating, clubhouse improvements and landscape.

Committee Reports

Financial Business & Reports

John Snee presented the Financial Report.

Kathy asked that she be given online access to the bank accounts at First Citizens Bank. John Snee advised that this is in process and that the accounts have just been opened.

Kathy asked if the checks can be delivered to her a few days before the meetings for review.

Manager's Report

John Snee presented the Manager's Report.

HOA Business

Insurance –

The board discussed and explained to the homeowners the process and challenges related to obtaining fire insurance renewal quotes in light of many carriers pulling out of the California market. The board will be approaching brokers listed on the California Fair Plan documents to see if we can obtain lower premiums for comparable coverage.

Landscape –

The board asked John Snee to obtain maintenance bids from other landscape contractors.

The board advised that all extra work and irrigation repairs must be preapproved by the board, and that CTR must document any irrigation repairs they don't bill the HOA for when the parts are damaged due to landscape personnel actions. Laura reported that some cement was left in the planter near her unit. Naren reported excessive weeds in the planters.

Collections / Delinquencies –

The board asked John Snee to look into whether the HOA can shut off certain HOA amenities and services, such as water, to owners who are not paying dues since this is paid through the assessments.

The board discussed inviting Alterra to a meeting to answer board questions.

John Dyke made a motion to record a subsequent lien on account GMVP-64-40B-5 for unpaid maintenance assessments. Laura seconded and the motion carried.

The board reviewed the courtesy delinquency letter template and Laura asked John Snee to bold-face the last sentence about contacting the HOA regarding a payment plan.

General Repairs –

6505-E: John Dyke discussed that a fence at 6505-E needs to be raised and this will be further investigated by the board.

Stair Railings – The board authorized Kathy to move forward with her contact to review the stair railings and present recommendations for \$350. Laura so moved. John D. seconded and the motion carried.

No trespassing signs – Laura reported that she will work with John Snee on obtaining the signs and having them installed.

Roofs – The board asked John Snee to follow up with Gerald from A.A.R. on the status of the updated roof schedule map.

Carpet Cleaning – The board instructed John Snee to have A&R Carpet Care clean the clubhouse carpets. No vote was needed because this is within the manager's spending authority.

Pools – The board asked John Snee to have Diaz Pools and Southcoast Pools reach to Laura to schedule a job walk.

The board discussed resurfacing the pools or treating for Algae.

Adjournment of Regular Session Meeting: 8:24 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association Board of Directors
Meeting, Specifically Budget Discussion
June 17, 2023

Location: Campus Park Clubhouse

Kathy O'Brien called the meeting to order at 10:18 AM. Also present:

John Dyke, Vice President

Jamie Mitchell, Secretary

Naren Gunasekera, Member at Large

Balance Sheet Document

- Chase Reserve (8812) – latest amount is \$134,947.98
- Discussion on why we have so many accounts and should we look into combining accounts. Also, should we look at moving some money into short term CD's to get some interest. We need to make sure we don't need that money during the term of the CD.
- We are paying ~ &39K per month back to reserves – this is the loan we took last year for insurance and will be finished end of June
- Franklin Templeton account – why is this a negative when markets are trending upwards?
- Board wants to have a complete list of accounts with the latest balances so it knows exactly what we have
- Listed are all the arrears' accounts under Alterra. Where are the two accounts that are about \$40K+ and \$38K? All that are listed are small ones.
- Important the board knows exact dollars – there will be more roof expenses using up more reserves in the coming year in addition to insurance

Insurance

- What is the cost? Based on the 2023-2024 budget we are showing \$765,278 for the year. What is the \$200,000 for the coming year that we don't have in the current year? Board needs full explanation of the insurance numbers. Without these details a budget cannot be approved as is.
- Why did the board pay one lump sum for the insurance for the current year rather than spreading it out over 12 monthly payments?
- John Snee filled out and filed a form with the department of insurance regarding insurance. We need to get an update from him on this.

- Aren't we supposed to get a reduction in costs as we are replacing roofs with new more fire-resistant material etc.?

2023-2024 Proposed Budget Spread Sheet

- Income section
 - What is the \$16.6K misc. income?
 - Lower the income from rentals to \$1000
 - What is collection letter income?
 - Late fees really \$4500?
- Landscape Expenses
 - Discussed that new contract will include some items that will be needed i.e., fertilizer etc. This will prevent so many quotes for these types of expenses and will help the board to budget
 - In contract have a list that the board can use to make sure each item in the contract is being done and when. For example, if one set of bushes isn't getting trimmed, why not?
 - Jamie to follow up with Yvette – make sure watering gets started, have a copy of the new contract before June board meeting so it can be reviewed before the meeting
- Pool expenses
 - It appears the pool furniture was included in the pool expenses for the current year. Why?
 - What does pool supplies include?
 - Get some quotes for having an outside person come in and do the pools. Is the Campus Park pool green issue algae or something else? One thought mentioned is to lessen Jared's hours if we do this?
- Repairs and Maintenance
 - General repairs – what does this include? Where do balcony repairs fall under? Where will railings and trip hazards fall under?
 - Increase plumbing budget to \$3K
- Insurance – see insurance review above
- Management Fees
 - What are we getting for our money?
 - We need to get a copy of the current year contract
 - Do we create a list in the contract to make sure all is being done by GM Management?
- Taxes
 - What are we paying taxes on? Doesn't the HOA fall under non-profit?
- Utilities

- Water – Kathy said the year-to-date water bill is around \$280K and that is without watering grass. This is going to go up quite a bit the coming year since watering has been restarted.

- Reserves – more detail on this

Other

- 14994 A – send letter. This person is apparently filling up a 50–60-gallon tank a day for his detailing business. This needs to be stopped. John Dyke has seen this once early in the morning. Can Jared get a picture for us then we send a letter.
- Cut down on number of emails – examples: clubhouse rental deposits – lost key, excess cleanup by Jared, HOA keeps the entire deposit (update our rental contract). Define this more so there aren't so many emails discussing how much of the deposit is kept. Same with windows – replace like with like then John S approves it. Again, saves many emails.
- Raised monthly dues by \$80/month/unit. \$246.7K – where is this money?
- Workers Comp 6094 General Ledger Document – huge cost difference month to month
- Why Citizens bank for dues?
- Newsletter for June – Jamie work with Laura to get this out ASAP – include explanation that we are working on the budget including insurance/water. The Board held a special meeting to discuss this. Mention there could be a special assessment and/or increase in monthly dues. The insurance is a state wide issue, not just for VP HOA. Also ask owners to check faucets and toilets for any leaks to help keep our water costs down. The board pays the same as everyone else and we want to hold costs down too.
- No vote taken on any tree removal quotes until board can finalize budget

Varsity Park Homeowners Association
Board of Directors Meeting
May 23, 2023
Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:03 P.M. Also present:

John Dyke, Vice President	Daniel O'Brien, 6516-E
Katalin O'Brien, Treasurer	Stan Manning, 15050-B
Jamie Mitchell, Secretary	Jennifer Geidel, 6440-A
John Snee, GM Management	Stephen Lewis, 6412-A
Christine Frankiewicz, 6462-B	

Absent

Naren Gunasekera, Member-at-Large

Approval of Open Session Minutes

John D. made a motion to approve the regular and executive session minutes of the April, 2023 meeting. Laura seconded and the motion carried.

Homeowner's Comments (limited to 3 minutes per household)

Christine Frankiewicz, 6462-B Marquette, discussed landscape maintenance concerns.

Daniel O'Brien, 6516-E Marquette, discussed the improved appearance of the landscape.

Stan Manning, 15050-B Campus Park, addressed the board regarding a large tree with disruptive roots outside his unit.

Jennifer Geidel, 6440-A Marquette, discussed getting pool heaters and installing spas. She also advised she will be submitting a HIP for water damage.

Stephen Lewis, 6412-A Penn, discussed the landscape maintenance, pest control and the roof project.

Daniel O'Brien, 6516-E Marquette, offered to serve on a landscape committee and reported he would send a report that he had previously worked on with CTR to Jamie Mitchell.

Committee Reports

Rules Review Committee: Nothing new to report.

Financial Business & Reports

John Snee presented the Financial Report.

John Snee reported that GM Management is moving the operating accounts of all their HOAs from Pacwest to First Citizens bank, and that an information letter about the transfer would be sent to all of the homeowners, soon.

Manager's Report / Status Update

John Snee presented the Manager's Report.

HOA Business

Landscape –

Laura reported that CTR has not been responsive to emails lately. John Dyke advised that CTR will be mowing the grass more thoroughly after the flowers have finished blooming. Jamie reported that he is meeting with Yvette next week and also would like to take the lead in organizing homeowners to explore creating a committee. John D. reported that the board is looking into converting the irrigation to drip bubblers due to concerns about the city reinstating sprinkler restrictions for watering grass. John D. also reported that the iron work around the pools is now complete. Jamie is working with CTR on the trip/fall hazards. It was discussed that CTR needs to trim the hedges along the red curb areas in the Penn alley and also around the swimming pool.

General Maintenance –

Katalin O'Brien reported that the handyman team is in the process of repainting the curbs red.

Private Property Signs – The board reviewed bids to replace the deteriorated signs. Laura is working on a proposal for these as well as for no parking signs for Penn.

The board discussed that new a/c wall units have been installed and new ceiling fans are being purchased for the clubhouses.

Dryer Vent Covers – John D. made a motion that dryer vent cover maintenance is the responsibility of individual homeowners and not the HOA. Jamie seconded and the motion carried.

Adjournment of Regular Session Meeting: 7:04 P.M.

Minutes taken and transcribed by John Snee of GM Management.

Varsity Park Homeowners Association
Board of Directors Meeting
April 25, 2023
Location: Campus Park Clubhouse

Board President Laura Monteverde called the meeting to order at 6:05 P.M. Also present:
John Dyke, Vice President
Katalin O'Brien, Treasurer
Jamie Mitchell, Secretary
Naren Gunasekera, Member-at-Large
John Snee, GM Management

Cheri Toyen, 15122-B Varsity Street
Daniel O'Brien, 6516-E Marquette Street
Julie Kraus, 15066-B Varsity Street

Approval of Open Session Minutes

John D. made a motion to approve the regular session minutes of the March, 2023 meeting. Jamie seconded and the motion carried.

Homeowner's Comments (limited to 3 minutes per household) -

Cheri Toyen addressed the board regarding the dues and a special assessment as an alternative to raising the dues, if necessary. She also thanked the board and committee for the pool furniture.

Daniel O'Brien addressed the board regarding the dues; recommended installing signs reminding residents to lower umbrellas.

Committee Reports

Rules Review Committee: Laura made a motion to create a Rules Review Committee with the following members: Hans Paricha, Naren Gunasekera, Daniel O'Brien, Cheri Toyen and Jamie Mitchell. The motion was seconded and carried.

Jamie reported that he is in the process of transcribing the original rules PDF to Word so they are editable for possible future revisions, subject to the requirements in the HOA's governing documents and statutory law. He is also working to transcribe the CC&Rs and Bylaws. Laura presented, and the board discussed, the recommended edits to be made to the violation notices sent by GM Management.

Landscape Review Committee: The board tabled this, pending the announcement from the Fire District regarding new fire safety codes.

Architecture Review Committee: The board tabled this.

Financial Business & Reports

John Snee presented the Financial Report and explained that GM Management is in the process of transitioning the reports from Quickbooks to Appfolio, so previous questions presented by the board will be addressed once this conversion process is complete.

Invoices for Street Sweeping: Action John Snee – make sure that checks 3250 and 3251 to GI Industries were not double payments for the same invoice.

John Snee reported he was in discussion with Heidi from Pacwest Bank to arrange a conference call with some board members to discuss the CDARs program.

Manager's Report

John Snee presented the Manager's Report.

John Dyke gave the following site status update:

- CTR is doing cleanup work around the community and the sidewalk grinding project will commence next week.
- The wrought iron repairs around the pools will commence on Monday.
- The roof work is proceeding at a faster pace now that the rain has stopped. All American Roofing has completed 16 buildings in April and because of the rain, it took 3 months to complete the first 12 buildings. The goal is for the entire project to be completed before year-end.

Jamie reported he is working on a draft newsletter to be sent to the community.

HOA Business

Landscape Items – The board discussed the status of the sidewalk grinding and that Laura is looking at different locations with CTR where the concrete should be replaced; the board is also looking into converting the landscape irrigation to drip bubblers. The board also discussed that some more trees will be removed to reduce future lifted concrete issues and also to mitigate potential life-safety/property-safety concerns from wrong trees installed in the wrong place by the original developer.

Handyman Team – The board discussed the H.T. schedule and tasks. The board discussed installing bulletin boards for posting HOA notices; repairing wood rot by the window at the Marquette clubhouse. Naren made a motion to pre-approve up to \$1,500 per month for Katalin to authorize for expenditures on Handyman Team related expenses. Laura seconded and the motion carried.

General Maintenance – The board discussed installing stair rails in the community. Naren suggested reaching out to Tammy Williams-Anderson at the city to find out more about the requirements.

Open Meeting Act – John Snee reported that the Open Meeting Act requires that notices/agendas be posted 4 days before a board meeting and 2 days before an executive board meeting.

Pools – Laura made a motion to remove the COVID-19 signs from the pools. The motion was seconded and carried.

Adjournment of Regular Session Meeting: 7:53 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
March 28, 2023
Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:02 P.M. Also present:
John Dyke, Board Member
Laura Monteverde, Board Member
Katalin O'Brien, Board Member
John Snee, GM Management

Homeowners per sign in sheet

Roger, the board and homeowners welcomed Katalin O'Brien and Laura Monteverde as new board members. Roger discussed that there is a vacant seat that should be filled by appointment and this will be done during executive session.

Site Status Update

John Snee gave the following report:

Pool Furniture – All furniture should now be delivered. The 2nd and final batch of the order was scheduled to be delivered to the Marquette Pool today, March 28 and checked in and unpacked by the handyman team. 1st batch was delivered roughly 2 weeks ago. Thank you again to Jennifer Geidel and the pool committee for their efforts.

Insurance – The insurance policies renew in mid-July. I spoke today with Joe Smigiel of Smigiel Insurance who issued the Property policy through Arden and also with Robert Pufahl of Pufahl Insurance who issued the remaining policies. Both agents worked together last year to put together the policy package and both agents have reported that the insurance market has hardened further since the previous renewal period. The reinsurers are pulling out of these high fire-risk policies. According to Robert Pufahl, Farmers and Allstate are no longer writing policies and State Farm has scaled back significantly. Topa Insurance was recently downgraded to a B+ carrier and most lenders do not typically accept B-rated carriers.

Joe expects that Arden will renew the HOA's property policy, though he does not yet know what the premium will be. He did caution that in today's market it is possible the policy will not renew, so both he and Robert have begun looking at other carriers who might quote the policy. I asked both agents what could be done to help to lower the premiums and they said there is really nothing that can be done because the renewals are based on arbitrary brush score numbers that are issued by each individual carrier. They both responded that it's best to keep the trees trimmed away from the buildings, but removing more trees will not affect the premium. Last year, the carriers did not even visit the properties in person. They simply based the premiums on the brush score.

I advised both agents that the board must approve next year's budget at the June, 2023 HOA meeting so we need to know the renewal premiums before then and they said they would do their best, but it's not up to the agent when the policy proposals are submitted because these are issued by the carriers and they are issuing their renewal bids typically 2 to 3 weeks before renewal.

Landscape – Having stated the above, the HOA board has been removing trees nonetheless, and will continue doing so, hopefully at the rate of 10 per year. Also, Laura, Katy and I recently completed a site walk with Yvette, the new owner of CTR Landscape, and we reviewed areas that need attention. John Snee read from the following update from CTR:

Although we are so happy for the rains to help ease water restrictions – these unexpected storms create fast growing weeds everywhere & tall turf. We cannot mow 1-2 days after a rain storm for the safety of our crews, the proper mechanics of our equipment and blades of grass don't cut as neatly and properly when wet. Thus, we have been switching around schedules at

all our accounts to focus on catching up with the mowing and weeding and we appreciate your patience and understanding. CTR will get to your lawns this week. We will be following up with continued pre-emergents (prevents weed seeds from sprouting) and herbicides where necessary and appropriate – as we have been doing since December; however these unexpected storms the past 4 months allow for weeds to continue to pop up weekly (everywhere), despite our continued efforts to keep up with them. Also, we are actively working with your dedicated HOA board of directors and property manager to come up with a solid and feasible plan on how to address our lawns given all the rain and “somewhat” of the lessening of water restrictions. We have gone from almost barren lawns to jungly lawns and are addressing these top concerns.

2-day outdoor watering schedule is now in effect as of 3/1/2023 – however during these storms, irrigation clocks continue to be off (as mandated).

If you have planters covered by roofs – such as an entryway planter to your door – please consider hand watering as the rain does not reach these and clocks are off.

Please note: Watering of non-essential turf (such as parkway) is still prohibited.

Minutes

Roger moved to approve the open and annual members meeting minutes of the February 28, 2023 meetings. John D. seconded and the motion carried.

Homeowner’s Comments

Stephen Lewis, 6412-A Penn Street, addressed the board regarding a rotted exterior beam at his unit and the board advised this would be reviewed by the handyman team.

Daniel O’Brien, 6516-E Marquette Street, addressed the board regarding 10’ by 2’ extension “eyebrow” that a prior owner installed above his slider and discussed the process for ensuring this is included in the re-roof project. The board advised this would be reviewed by All American Roofing.

Derek Krauss, 6508-C Penn Street, addressed the board regarding a notice he received for trash cans and discussed the current policy as to where the cans may be stored. This will be reviewed by the board during an upcoming site walk.

Derek also requested if he could attach gutters to his patio so water does not splash on slider door. John Dyke advised that the ongoing roof project includes a new “drip edge,” which might help with this. Roger advised that an Architecture Change form should be submitted if he would like to install gutters at his own expense.

Eric Arellano, 15022-D Campus Park, addressed the board regarding the pools and asked if there are any plans to install heaters. The board advised this is not currently under review due to cost concerns and suggested Eric should submit a HIP if he would like to officially suggest/request this be considered and then the board would discuss creating a committee to review further.

Julie Krauss, 15066-B Varsity Street, discussed water entering her unit from 1) water pooling against the structure in the planters during heavy rain and 2) water penetrating into her dryer vent opening during heavy rain. The board advised that CTR Landscape will review grading the planters away from the walls to alleviate the pooling issues. Julie advised that her handyman

will submit bids to replace the drywall insider her unit that became wet and also to permanently repair the dryer vent (he recently implemented a temporary fix). The board discussed that dryer vent maintenance would normally be considered homeowner maintenance responsibility, but that because the HOA's handyman team previously attempted a repair, the board would consider a reimbursement request from Julie if/when her handyman makes the permanent repairs.

Collections -

John D. moved to approve a subsequent lien on GMVP6409B3. Laura seconded and the motion carried.

Adjournment of Regular Session Meeting: 7:02 PM

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Rescheduled 2022 Annual Members' Meeting
& Annual Elections
February 28, 2023
Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:01 P.M. Also present:
Matthew McNutt, Secretary, Treasurer
John Dyke, Member-at-Large
John Snee, GM Management
John Lapper, Inspector of Elections
Homeowners per sign-in sheet

Election

John Lapper announced that 77 ballots had been received, thereby establishing a quorum for the rescheduled 2022 Annual Meeting. (The quorum requirement was reduced to 25%, or 66 ballots, from 51% after the board elected at the October, 2022 Annual Meeting to make a second attempt after the first attempt failed to achieve the required 51% majority quorum.)

After tabulating the votes, John Lapper announced the totals as follows:

Laura Monteverde received 54 votes
Katalin O'Brien received 47 votes
Matt McNutt received 36 votes
Roger Proulx received 12 votes

(77 ballots received; 2 disqualified. 149 votes, total)

As such, Laura Monteverde and Katalin O'Brien are hereby elected to the VPHOA board.

Manager's Report / Site Status update

Site manager John Snee read the following letter, which was also mailed to all owners before the annual members' meeting, into the record:

VPHOA SITE AND OPERATIONS: Major Events after Start of Fiscal Year August 2022 – July 2023.

1. **Pool Furniture Committee:** The VPHOA Board approved purchase of the recommended pool furniture at the January 25, 2023 Board meeting. The Pool Furniture Committee was formed beginning late September 2022 under the leadership of Jennifer Geidel homeowner and Matt McNutt board sponsor. The committee critically reviewed options and submitted findings for board approval in the late December 2022 time frame. The committee answered subsequent board questions at the January 25, 2023 board meeting that led to board approval to purchase the furniture as is being carried out now. The furniture should be in place prior to the swimming season 2023. While waiting for delivery of the goods, the Pool Furniture Committee is putting together a care and maintenance/operations plan for the pool furniture being purchased that will be subsequently submitted to the board for approval.
2. **Other Committee Opportunities:** Kudos for Jennifer Geidel and others on the pool furniture committee for their pathfinding effort of putting together a committee and subsequent high level performance. The VPHOA board encourages homeowners to participate in committees to help with VPHOA improvements to move forward faster, better, cheaper. Examples include but are not limited to:
 - a. Insurance – Better policy for less cost
 - b. HOA Dues – Consider options to keep dues from increasing
 - c. Rules Update – Times have changed and fence and a few other rules should be updated
 - d. Landscaping – For homeowner associations, landscape planning is complex. The VPHOA shall greatly benefit from a landscape committee that becomes knowledgeable of attendant statutory laws, costs, safety and other issues. For example, it may be possible to profoundly lower insurance and landscape operations cost as we address options relative to trees, drought, irrigation, species of plants that are good for the long term, mandated reduction of high water use grass, storm-water run-off, etc.

- e. Tree problems exist not only for VPHOA but many cities all over southern California that planted wrong trees in the wrong place years ago. Major issues still exist at VPHOA:
 - i. VPHOA has not been able to obtain the necessary support From Ventura County Fire Department (VCFD) to meet their code. VPHOA's approved landscape plan includes many wrong trees planted in the wrong place and that is grandfathered relative to fire code. Thus, continuing mitigation of personal/property safety hazards requires major commitments in VPHOA resources (time, effort and money) which include dealing with local jurisdiction officials and aggressive trimming of trees to reduce fuel for fire at the site.
 - ii. Moorpark City follows landscape law that avoids removal of trees even when facts make it obvious that the trees are personal/property safety hazards (such as fire safe studies and historic facts that make it clear that the probability is high that micro-trimmed trees will cause damage due to high winds). Moorpark City defers to VCFD or arborist to submit rationale for removal of any tree. But the reality is that these and other organizations stick together and support Moorpark City alignment with California landscape code which is to avoid removal of any tree once planted.
 - iii. Arborists know nothing about fire code and do not have credentials to be a factor in enforcement of VCFD fire code. Instead, arborists align to California landscape code which is to avoid removal of any tree once planted; even those clearly in conflict with current fire code.
 - iv. Tree service companies (Tree removal and trimming) know nothing about fire code. Most have a business model to micro-trim and avoid the removal of any tree once planted absent arborist indication that it is dead or dying. This business model minimizes tree debris disposal costs, results in short cycle times between tree trimming, keeps the number of trees that require trimming as large as possible, maintains good relationship with local jurisdiction that aligns with California landscape code which is to avoid removal of any tree once planted.
 - f. Architectural Request and/or harmonious appearance of the site - A major issue is that historically homeowners at VPHOA stepped in and put a personal touch into the planters at their home. The VPHOA board would welcome a committee that was formed to develop general rules/procedure of when and how to correct as appropriate.
3. **Professional Conduct/Behavior Required in Board & Annual Homeowner Meetings:** There has been an increase in homeowners attending board meetings and making contributions such as the newly formed pool furniture committee. The very few times that inappropriate remarks have been made since returning to meetings being held at Campus Park Dr clubhouse, steps were taken by all in attendance to simply move on in a professional manner which quickly damped out disturbances. VPHOA board expects that they are speaking for all homeowners in expressing appreciation of all stakeholders' efforts in continuing to work together to maintain professionalism and carry out efficient and effective meetings. This includes all parties at the meeting recognize that the very purpose of the board meeting is to deal with issues including those that may offend someone. Consequently it is a requirement that the meeting procedure and participation of all parties be professional and dignified.
4. **Drought and related impact:** VPHOA is an HOA and rules imposed during the drought in southern California included a directive that HOA grass lawns shall not be watered. Current code requires irrigation systems to be able to water trees separate from lawns which the VPHOA older design does not now support. In 2022 lawn and tree irrigation was turned off for approximately 4 months and then rain returned in December 2022/January/2023. CTR, the VPHOA landscape service provider, has prepared irrigation plans that will be used as a basis to make incremental adjustment in the irrigation system to allow separate watering of trees. In the meantime, the forbearance on watering lawns has resulted in an underrun of the water budget.

5. **Homeowner Lease & Rental Contracts:** Please be reminded that tenants are the responsibility of the homeowner and that the VPHOA rules include the following statements:
All homeowners who rent their units must abide by the following rules:
1. Provide tenants with copies of the Rules and Regulations PRIOR TO MOVE IN.
 2. Any lease or rental agreement shall include the following language: "The terms of this agreement are subject in all aspects to the provisions of the Declaration of Covenants, Conditions and Restrictions (CC&R's), By-Laws and Association rules. Any failure by lessee to comply with the terms of such documents may result in a default under the lease. THE UNDERSIGNED, AS LESSEE OR TENANT ACKNOWLEDGES THAT HE/SHE IS FAMILIAR WITH ALL SAID RESTRICTIONS AND RULES OF THE ASSOCIATION AND AGREES TO ABIDE BY THEM"
6. **VPHOA Has Contracted Alterra To Pursue Collection of Delinquent Accounts:** The contractual relationship has been working well. The VPHOA Board and site management, as well as all dues-paying homeowners express thanks to the homeowners who brought their delinquent accounts current.
7. **VPHOA Insurance Higher Cost and Less Coverage than Before (Homeowner HO-6 Insurance Policy Issue):** In 2022 Farmers announced that they are not renewing VPHOA insurance. The replacement insurance is less coverage and higher cost. Homeowners are to take note and make adjustments in the HO-6 policies that they carry. In this regard, insurance agents Robert Pufahl and Joe Smigiel attended the VPHOA July board meeting and explained:
- a. This is a "Bare walls" Policy. It covers the units only up to the unfinished drywall, subflooring and sub ceiling. The Unit owner is responsible for everything else on the interiors. Unit owners can get this coverage through an HO-6 policy. "Condo Owners policy". Our agency can help with this coverage if needed.
 - b. Unit Owners also need to obtain at least \$50,000 in loss assessment coverage that could potentially be used to handle the master policies deductible of \$50,000 per unit. Please have them ask their personal insurance agent if this applies with the policy they have or are purchasing.
 - c. Unit owners are also responsible for their personal items, personal liability and loss of use. Robert Pufahl and Joe Smigiel also explained that purchasing insurance for VPHOA was difficult because the association was responsible for so much – buildings, roads, walls, utilities, etc. Most other associations have only minor responsibilities and fewer items to insure. A follow on discussion brought out that because of VPHOA complexity, it is extremely difficult to find a site management company, such as GM Management, willing and able to sign a contract to manage VPHOA.
8. **August 2022 Dues Increased To \$504 from \$420 Per Month; Another Dues Increase May Be Required August 2023:** VPHOA HOA Insurance financial impact was \$550,591 increase = \$751,741 (2022-2023 budget) - \$201,150 (2021-2022 budget). To cover the increase monthly dues were increased 20% to fund \$259,056. The \$291,535 balance was funded using VPHOA Board strategic emergency operations funds. In the likely event that insurance costs will remain at approximately the same level or higher, another monthly dues increase is likely to be required in August 2023.
9. **Other HOAs Are Suffering Insurance Non-Renewals and their Financial Woes Are Much Worse:** Search the web for "Farmers, Insurance, HOA, non-renewal" and see many examples of Farmers non-renewals and attendant financial woes of HOAs much more serious than what VPHOA has gone through. Insurance agents advised VPHOA that replacement insurance would be x 5 to x 10 more than the cancelled policies – consistent with what other HOA are reported to have experienced. In contrast, VPHOA Board secured a replacement insurance policy at the extremely low rate of x 3.74 of the canceled policy. Factors which led to VPHOA's softer financial landing include VPHOA board using three agents, thus sidestepping insurance industry restraint of trade practices, and using VPHOA strategic emergency funds to cushion the blow on homeowners this fiscal year:

- a. VPHOA board successfully multisource three (3) agents and obtained three proposals: All three of the “wedding cakes” proposals submitted were composed of different insurance entities showing multisource bids are good for customer. The proposal selected was x 3.74 the cost of the prior insurance package while the other two packages were higher ~ < 5 x cost of prior insurance package.
- b. Insurance industry restraint of trade as practiced on HOAs – blocks multi-source bidding: Once the industry blacklists an HOA through a high fire-hazard score, the only realistic insurance option is to build a “wedding cake” policy where multiple insurance entities sign up for small amounts of the overall risk and charge a very high rate for taking on the alleged higher risk (typically applies to insured asset value ~> \$20M and VPHOA is ~ \$50M insured value). The customer is not allowed to communicate directly with others in the industry. Instead, the insurance industry requires a licensed agent to build the “wedding cake” proposal. Before any work is done, the HOA insurance customer is told they must sign-off on a document stating they shall use only one agent exclusively. The actual laws do not read as the community says it does. But, suffice it to say they work together to block communication/coordination between agent and insurance entities absent customer sign-off of the single agent commitment document. After the commitment letter is signed off, the one agent collects proposals from insurance entities of his/her choice to build the “wedding cake” policy that he/she will present to the customer as “take it or leave it”. There is clearly no incentive for an agent to shop and seek best value submittals. Instead agent work load goes down and the commissions go up if the “buddy” system is used. VPHOA was fortunate in that all three of the agents used worked hard to deliver a best value proposal to VPHOA. Again, it is highly likely that other HOAs in the news were subject to abuse of the restraint of trade system that the industry uses.
- c. Pufahl Insurance, VPHOA historic insurance provider, proposal package was selected at x 3.74 prior insurance cost. Pufahl Insurance partnered with Steve Reich Insurance. The first \$20M layer of the “wedding cake” was relatively large and that made the difference in cost. This relatively large first layer was provided by a relatively new insurance company. Insurance agents Robert Pufahl and Joe Smigiel advised that this good fortune may not be repeatable.

Manager’s Financial/Site Status Report

1. Financials Good – All lines of accounting are in alignment with budget except the water bill - which is underrunning.
2. Tenant of one of the buildings that tree fell on in 1/19/2021 wind storm sued Moorpark City and others (including VPHOA) for the city declining to issue a permit to remove that tree in 2020. Farmers is handling the litigation and recent report from Farmers indicates very little progress.
3. CTR – Landscaping complying with drought requirements. Thus, new planting is on hold. VPHOA is also throttling down on related landscape tasks such as re-planting of trees that were removed in 2021.
4. Hardscape (Trip and falls): Trees roots at VPHOA are a major cause of damage to structures including sidewalks. VPHOA has always placed and shall continue to place a high priority on removing trip and fall hazards. Homeowner’s are encouraged to contact John Snee and report proposed location to be fixed and share other concerns.
5. Sloped roof re-shingling is underway.
 - a. Bring attic ventilation into alignment with code is included. An active solar exhaust fan will be mounted on the roof vs. passive vents, which do not have cooling exchange of air in the attic on hot still summer days. To work correctly, other exhaust ports will be closed. If the homeowner wishes to retain an open gable attic vent, the request must be supported technically. Note that if both roof-mounted exhaust fans

and gable-mounted exhaust fans exist in the same attic, they communicate with each other and no air is pulled from the lower intake vents and the attic cooling is greatly reduced.

- b. In the event that a homeowner has added an unapproved item on the roof, it will be removed unless a HIP is submitted by the homeowner to justify the retention. Note fire safety is an issue. For example, the new solar exhaust fans being installed are per fire code.
6. Handyman Team moving forward with general repairs and maintenance and supporting planning for effort above.

Homeowner comments/discussion

The homeowners in attendance discussed with the board the current status of fire risk mitigation efforts, including removing more wrong-place/wrong-trees that were installed by the developer in accordance with the original city-approved landscape plan. The board and owners discussed a plan of action for obtaining support from the city and VCFD to bring the HOA into current fire code compliance, which many owners in attendance expressed their belief that such measures would result in reduced likelihood of fire insurance policy cancellation/increased premiums at renewal thereby reducing the likelihood of increasing the monthly dues.

The board explained that reduction of trees on the site do not affect the HOA's brush score, which is the key factor in determining what the HOA will pay for premiums.

Regarding homeowner recommendations to bring the site into better alignment with VCFD fire defense area code and gain attendant additional support from Moorpark City, the board feedback to the homeowners was that the proposed actions have already been carried out resulting in the present site being extremely life/property/safe. Even though it may not be a factor in insurance cost, the VPHOA board's plan is to continue working to improve the site life/property/safety including removing trees to address not only life/property/safety concerns; but, also deal with trees with roots that are hampering site storm water draining.

Regarding what can be done on site to reduce premiums, the board answered yes that there are currently two discounts that are recognized by California State Insurance Board;

1. Class A Fire Rated Shingles – Ongoing project replacing old class A with new.
2. Fire proofing attic vents and under eaves if not in original design – Major fire proofing of vents is being accomplished with the re-shingling project. The plan is to complete the fire proofing after the re-shingle project is completed (which must come first).

A homeowner provided feedback to GM Management and VPHOA:

1. Proposed that the VPHOA board look into increasing the number of handrails at the site beyond what is required by code to help people feel more secure climbing stairs.
2. Please correct your records. GM Management sent letter to wrong homeowner for not putting trashcan away.

Roger Mickish announced there is a vacancy on the board. Daniel O'brien nominated Matt McNutt to fill the vacant board seat. Laura Moneverde nominated Jamie Mitchell for the vacant board seat. John Snee advised that the proper procedure is for the board of directors to interview candidates and then vote to appoint the replacement board member at a subsequent board meeting.

President Roger Mickish adjourned the Annual Meeting at 7:05 PM.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
February 28, 2023
Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 5:35 P.M. Also present:
Matthew McNutt, Secretary, Treasurer
John Dyke, Member-at-Large
John Snee, GM Management
Homeowners per sign in sheet

Minutes

Roger moved to approve the regular minutes of the January 24, 2023 meeting. The motion was seconded and carried.

Financial

John Snee presented the Financial Report.

VPHOA Year Ending July 31, 2022 Audit (Draft) by Martens & Munselle – Hard copy distributed to board members at the meeting. Action board to review and provide feedback ASAP. Action John Snee to provide board electronic ASAP.

HOA Business

These minutes hereby reflect that the VPHOA board duly approved and authorized on February 13, 2023 the signing of order #00074000 from Leisure Creations for pool furniture. This order was submitted to the vendor on the same day.

John Dyke reported that the lifted sidewalk report has been completed and distributed to the board and management, and that paint marks and flags have been applied on and around the affected locations and that the grinding at these locations will begin soon.

Collections –

These open session minutes hereby reflect that the board authorized the recording of an NOD against APN #514-0-093-195 due to the owner's failure to remit payment in full or request a payment plan.

Roger Mickish made a motion to approve and to authorize recording a Lien against the following properties, and as referenced in the enclosed Resolutions, due to these owners' failure to pay their HOA assessments: GMVP5048D4, GMVP5091B5, and GMVP5194D3. John Dyke seconded and the motion carried.

Roger Mickish made a motion to approve and to authorize recording a Subsequent Lien against the following properties, and as referenced in the enclosed Resolutions, due to these owners' failure to pay their HOA assessments: GMVP5050A5, GMVP5160E6. John Dyke seconded and the motion carried.

Adjournment of Regular Session Meeting: 5:56 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
January 24, 2023
Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:03 P.M.

Also present:

Matthew McNutt, Secretary, Treasurer – Left the meeting early.

John Dyke, Member-at-Large

Naren Gunasekera, Member-at-Large (Note: During course of 1/24/2023 board meeting Naren was officially removed from the board at his request. Naren arrived late for the open board meeting, sat with homeowners (not at board table) and between open and closed sessions in private conversation informed the board that his prior notice of being unavailable, because of personal issues, is to be treated as permanent and not temporarily as board had assumed and agreed to accommodate at the November board executive meeting.)

Twelve (12) Homeowners: See attached attendance list – Purpose/Subject: seven (7) pool furniture, one (1) Architectural Request vinyl fence and four (4) not indicated

Absent:

John Snee, GM Management (absent every other month per contract)

Roger Proulx, Vice President (Board was notified 1/11/2023 that sale of home finalized - ending service on board.)

Homeowner Disruption At Opening of Meeting

Prior to the board meeting homeowners clustered in groups and engaged in lively conversation outside the clubhouse. The start of the meeting slipped a few minutes to accommodate some of the groups that were slow to break up, enter the clubhouse, sign-in and be seated. In parallel a homeowner (6516-C Marquette) took down the posted agenda and appeared to use a cell phone to photograph.

As homeowners continued to buzz the room with conversation, Roger M opened the meeting noting for the record the presence/availability (or not) of John Snee and board members on the agenda. See notes above. A homeowner (6516-C Marquette) made a disruptive outburst “he just lied” immediately after the statement was made that Roger P and Naren Cunasekera were absent/unavailable at this meeting.

Roger M immediately asked for clarification of the outburst from another board member and after confirming that the outburst was inappropriate/out-of-order Roger M ignored the comment and proceeded to conduct the meeting per the agenda in alignment with the following procedure:

1. Welcomes homeowner’s questions/comments to the board; however,
2. Questions are posed and comments are to be made in a businesslike manner during a specifically designated homeowner question and answer period

Three related issues are documented as follows.

1. Roger P and Naren Gunasekera are no longer on the board. See notes Presence/Absence.
2. Homeowners asked no further questions about absent/unavailable Roger P and Naren Gunasekera during the balance of the meeting so notes at Presence/Absence section were not discussed.
3. Homeowner (6516-C Marquette) made an allegation that implied board negligence. The homeowner's outburst comment was that the VPHOA board is required to remove board members who do not attend two board meetings. Roger M responded that statutory law provides a necessary, not sufficient, condition that three months of consecutive absences are required before a board can justify/support a vote for removal. The removal is not automatic. The homeowner did not indicate what board member he was suggesting the board should have removed.

Minutes

Roger M made a motion to approve the November 29, 2022 open session minutes. John D seconded and the motion carried.

VPHOA Site Status Given By Board in Absence of John Snee

Roger M noted that in this meeting the VPHOA board will be presenting a relatively brief site status report. This is appropriate because the site operations and capital renewal projects are proceeding in alignment with plans homeowners have been kept well informed about and the fact that there were many rain days December 2022 – January 2023.

Roger M reported:

1. Financials – Within budget; one factor is water bill lower than plan due to drought.

John D reported:

1. CTR – Made progress in providing documentation of irrigation system – controllers and irrigation/sprinklers that each controlled. The plan is to be able to strategically modify the system so that it is possible to irrigate trees vs. lawns vs. planters separately.
2. Tree Trimming – Completed over Thanksgiving through New Year's holiday period by Your Way Tree Service
3. Roof Leaks due to Rains – Leaks timely fixed by All American Roofing.
4. Re-Shingle Site – Began in January. Homeowners were sent notices via USPS and Appfolio.

Homeowner Disruption At Opening of the Homeowner's Comments

The first homeowner invited to come forward was requesting a fence rules exception - Architectural Request. Roger M began by summarizing the applicable rules at which time a homeowner (6516-C Marquette) made a disruptive outburst ““obscurity” the rules”. A board member fired back an in-kind admonishment which was interrupted by another homeowner who made an outburst aggravating the disruption. The same board member

interrupted that homeowner's outburst with the comment "shut up" and left the meeting.

The meeting instantaneously came back to order, Roger M then turned to the homeowner (6516-C Marquette) and stated that his inappropriate and/or out-of-order and unacceptable behavior resulted in the meeting losing a board member. Roger M repeated the comment no less than four times until the homeowner (6516-C Marquette) refrained from denying his action were the cause.

Homeowner's Comments

Gage Guzman – Architectural Request Variance from Rules Vinyl Fence.

Architectural Requests may be discussed in open session and then Board votes in executive session. The board welcomed the discussion of the fence issue in well attended open session to allow other homeowners to express opinions. At the end of discussion, Gage and the other homeowners were told that the board would have to take a vote; but, it looked like an exception to the rules is justified in this case to allow selection of simulated redwood vinyl fence instead of smooth surface tan vinyl fence.

The rationale for making the exception is that neighbors in the alley area, where the homeowner lives, have wood or vinyl fences that are in good shape and have the same redwood appearance.

The conclusions reached above were made after homeowners present were asked for a show of hands:

1. Many hands rose: Prior to discussion of rules, how many think OK for Gage to do whatever he wants?
2. Many hands rose: After discussing that due to change of times and circumstances vinyl is in fashion and wood fences at VPHOA are generally a study in disharmony. Thus, it makes sense for VPHOA to transition to smooth surface and single tan color vinyl fences in alignment with the present VPHOA rule for painted fences. Correct?
3. Half as many hands rose: If we approve this variance then this decision delays transition to more uniform alley fences – tan, smooth vinyl. How many are OK with approving the Appropriation Request and delaying the transition and forgoing the opportunity to stick with tan, smooth surface vinyl fences?

Jennifer Geidel & Hans/Carson Pasricha – Pool Furniture Committee Report -

Jennifer had submitted Pool Furniture appropriation request package for VPHOA board review over the Christmas/New Year holidays. The board timely provided feedback on additional information that was required from the committee. The committee then appeared at the 1/24/2023 board meeting with responses. After the pool committee's presentations and follow up discussion, the board's position was stated and is summarized as follows:

1. Verbal presentation of correcting of the appropriation request related to the physical furniture made at the meeting must be added in writing as an amendment and re-submitted to the board. VPHOA board will timely review and approve as appropriate.
2. Assuming that the above pool furniture hardware amendment is acceptable the pool committee has the action to work with the vendor to create a purchase

request ready for VPHOA signature. That purchase order must have VPHOA c/o John Snee as contract.

3. If conditions above are met, then VPHOA board agrees to conditionally move forward on purchase of pool furniture as proposed. The condition is that the pool furniture committee must develop and submit a care and maintenance plan that applies to the pool furniture upon arrival and subsequently through lifecycle capital renewal. Development and submittal of this care and maintenance plan is to be carried out by the committee in parallel with the manufacture and shipping of the pool furniture.

Highlights of the Pool Furniture Committee Report:

1. Jennifer: Cleaning required once every 2-3 months, much less than stated previously
2. Jennifer: Repair replacement can be accomplished by use of pair of pliers and box of replacement vinyl straps.
3. Jennifer: Pool Furniture will be easy to manage in winter since it is stackable and can be stored during adverse winter weather.
4. Jennifer: The pool furniture at the association north of VPHOA is residential, the pool furniture committee is proposing to purchase commercial grade with is more robust and higher quality. It is acknowledged that objective proof of robustness and quality has not been found - such as Consumer Reports.
5. Hans Pasricha survey of pool furniture at other location around Moorpark – What is proposed is popular style and considered by others to be excellent choice.
6. Carson Pasricha – Please make sure to consider handicap issues. It may be that bolting the furniture down is contrary to handicap code.

Laura Montverde Proposed that Election be Canceled and Board Vote in Candidates in Ballot into Existing Open Positions - Roger M replied that the board plans to continue on the path to hold the election that was decided at the October 25, 2022 board meeting. Another homeowner asked for further explanation and Roger M elaborated (paraphrased as follows):

1. In October board meeting many of the same homeowners in the room today argued that all homeowners on the site should to be heard and they strongly supported paying the cost in time and money for holding the 25% quorum vote.
2. The board went along and wrote up the minutes stating the rationale and that the board will be supporting the plan for all of the homeowners to vote per the argument of those that were at the October 25, 2022 meeting.
3. Again, the same persons that were at the October 25, 2022 board meeting are now proposing the board cancel homeowners annual meeting allowing all the homeowners to vote. Such a flip flop is not only contrary to what the board has put in writing since the October the homeowners present in this meeting have not presented a justification that would be acceptable to the board and/or other homeowners not in attendance of this meeting.
4. The homeowners present were told for their information that the board originally leaned toward not having the 2nd 25% vote because it is clear from homeowner's actions that if they feel that they have a good board they want that board to

continuing doing what is best which includes selection of qualified people to serve on the board.

Collections

Alterra open meeting actions are deferred until John Snee attends February 28, 2023

Adjournment of Regular Session Meeting: 7:15 P.M.

Minutes taken and transcribed by Roger Mickish

Varsity Park Homeowners Association
Board of Directors Meeting
November 29, 2022
Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:01 P.M. Also present:
Matthew McNutt, Secretary, Treasurer (telecom)
John Dyke, Member-at-Large
John Snee, GM Management
Jennifer Geidel, Homeowner
Cheri Toyen, Homeowner

Homeowner's Comments

Jennifer Geidel and Cheri Toyen addressed the board regarding efforts to obtain quotes for pool furniture. Jennifer presented quotes from Furniture Leisure and Leisure Creations for a single make and model of furniture for three pool areas each: two tables with umbrellas, five chairs per table as well as lounge chairs. The board asked Jennifer to supply the requirements document that supported the bid for board review. Jennifer took the action to email the requirements document to John Snee.

Roger M explained that steps to officially form the committee per law have yet to be completed. The board defined pool furniture scope of work was briefly discussed in prior board meetings. A draft of the official document to formally establish the VPHOA pool furniture committee was emailed to board members for review and approval September 29, 2022 but that document has yet to be finalized. The formal document includes procedures to be followed by the committee. For example the board has to be presented with a scope of work to be approved by the board. Regarding the scope of work, Roger M reminded everyone that that the procedure is to critically evaluate and analyze different furniture candidates for best business case. Cost estimates are adequate for the best business case analysis. Formal bids are only required on those options that board selects as the best business case.

Roger M reminded everyone that there are a number of pool furniture options including concrete tables John Snee asked the committee to consider in the October 25, 2022 board meeting Jennifer advised that the committee members did not want concrete tables.

Roger M suggested that that may be; but, the committee must carry out their duties in alignment with statutory law and evaluate options and present to the board the quantitative objective best business case findings. Bad options will reveal themselves in the analysis. Absent a better well founded idea from the committee, the procedure is to create a table listing the pros/cons of each scoring each of the furniture set options considered. This spreadsheet, or equivalent business case evaluation document, will form the foundation of the committee's appropriation request to be presented to the board also for the board's review and approval.

Roger M explained that the spreadsheet is the tool to identify the best business case pool furniture. The pool furniture committee is required to justify the specific number of items to be purchased which drives the bottom line cost in the appropriation requested. In this regard, a scaled drawing of the pool area with proposed location of proposed pool furniture will be required if the committee is recommending the purchase of a large number of pool furniture items.

John Snee provided to Jennifer during the meeting the contact information for Quickcrete, the vendor he had used previously at another association for concrete tables. John Snee also advised he would forward to the board the names of the homeowners who volunteered to serve on the pool furniture committee. Roger M

Minutes

Roger made a motion to approve the open session minutes of the October 25, 2022 meeting, with the following corrections: add the following APN's to the minutes for the collection actions with Alterra as recorded in the October minutes: 514-0-102-465, 514-0-102-275, 514-0-092-115. Matt seconded and the motion carried.

Financial

John Snee presented the Financial Report.

Roger reported that the accounting department at GM Management is working on the requested corrections to the report.

Roger asked John to check where we stood with the payments that are supposed to be made from the operating account to reimburse the reserve fund for the loan from reserves that was used to pay this year's insurance premiums (reference notes made on the October, 2022 check register). It appears that only 3 out of the 10 payments for ~\$39k have been made YTD.

Popular Bank – The board discussed that they were surprised to learn that a new signature card needed to be completed and submitted because none of the current board members are listed as signers on the account. Roger M explained that it appears that the updating procedure carried for Popular Bank in 2021 after GM Management was hired was not carried out as reported in the 2021 records. John Snee advised that it was his understanding that all of the other bank accounts have current board members listed, but that this will be verified. Roger reported that after submitting the required identification and other documents to GM Management a week ago, his understanding is that the signature card can now be routed to the other board members for their signatures. Action John Snee: verify this is correct and/or take appropriate action otherwise to update the Popular Bank signature cards.

The board asked that GM Management improve the shortcomings in the financial accounting department as it pertains to updating the financial records and bank accounts.

The board asked management to check with Martens & Munselle as to the status of the 2022 annual accounting review. If the report is on hold due to lack of financial reports from financial institutions such as Popular Bank, please timely take corrective action.

Management

John Snee presented the Manager's Report.

HOA Business

John Snee reminded the attendees that, per board vote at the October 25, 2022 HOA meeting, the Annual Meeting has been rescheduled to February 28, 2023, at which time the quorum requirement will be reduced from 50% to 25% of the members. Ballots will be mailed to all owners at least 30 days in advance of the meeting and will include the names of all candidates who were included in the initial ballot mailing. Roger discussed that, because VPHOA is such a well-run corporation, and because the board and management do an effective job of keeping the homeowners timely informed as to HOA business throughout the year, including in the annual July 1 letter, there will be no need for a detailed annual update to be presented to the owners at the meeting. Instead, a high-level overview will be presented and John Snee will run the meeting. John Snee explained that if there is a quorum at the annual meeting, the inspector of elections will open the ballots and announce the vote count. Then the meeting will be adjourned and the regular meeting will be called to order, at which time the board will discuss the process to appoint a volunteer homeowner(s) to any vacant board seats, if necessary.

John Dyke gave the following site status update: The contracts for the tree trimming/removal and roof replacement projects have been signed. The tree work is in progress; the roof work start date is TBD. The speed humps are to be painted by Thursday, weather permitting. The board asked John Snee to send an email to all owners that any vehicles currently parked on or near the humps must be removed, immediately. John Dyke also reported that he received from CTR Landscape a document showing the location of the controllers and sprinklers. He is awaiting an extra-large version of this document, which will show everything in greater detail. John Dyke has not yet seen a presentation of the proposed water injection for the trees.

Roger advised that there is an Ash tree on Stanford Street, near building 14994 that is not on the tree removal list, but it was supposed to have been included and will be removed soon due to its close proximity to the structure.

John D. advised that he will be contracting directly with All American Roofing to install an attic fan above his garage. Roger reminded John D. that an Architectural Request form must be submitted for this.

Board Member Code of Conduct – The document was signed by Roger, John D., and Matt advised he would sign the form once he gets back in town. Roger reported that he will create a similar document for any committee members to sign.

Collections –

John Dyke made a motion to record a lien on the following accounts and to turn them over to Alterra for non-payment of HOA assessments: GMVP5049C7 (APN 514-0-092-605), GMVP6440B5 (APN 514-0-102-275), GMVP6453E5 (APN 514-0-102-585),

GMVP6488C2 (APN 514-0-102-325), and GMVP6542C5 (APN 514-0-102-175). Matt seconded and the motion carried.

Roger noted that the board had previously voted to write off the amounts indicated by Alterra on account #GMVP6488C2 due to inadequate bookkeeping by TMC.

Roger asked that future action item lists include more detailed explanations as to what GM Management is requesting of the board (i.e., board must sign off on this or that document, etc.)

These minutes hereby reflect that the board voted during the executive meeting of October 25, 2022 to record a notice of default against the following units for non-payment of HOA assessments:

1. **APN 514-0-102-465**
2. **APN 514-0-092-115**
3. **APN 514-0-102-275**

Adjournment of Regular Session Meeting: 8:00 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Annual Members' Meeting and Election
October 25, 2022
Location: Campus Park Clubhouse

Present

Roger Mickish, President
Matthew McNutt, Secretary, Treasurer (Teleconference)
Roger Proulx, Vice President (Teleconference)
John Dyke, Member-at-Large
Naren Gunasekera, Member-at-Large
John Snee, GM Management
John Lapper, Inspector of Elections
Homeowners per sign-in sheet

Inspector of Elections John Lapper announced that in order to establish a quorum and call the annual meeting to order, 129 homeowners must be present in person or by ballot. Because only 66 ballots were received, a quorum was not reached, so the meeting could not be called to order. Mr. Lapper advised that he will store these ballots for 12 months, per the civil code requirements.

Site Manager John Snee advised the board and homeowners as to what their options were: make a second attempt to hold the annual election/meeting by sending out new ballots and the quorum requirement drops to 25%, or 66 ballots/homeowners present, or to not make a second attempt and the incumbents roll over to another term.

Varsity Park Homeowners Association
Board of Directors Meeting
October 25, 2022
Location: Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:24 P.M. Also present:
Matthew McNutt, Secretary, Treasurer (Teleconference)
Roger Proulx, Vice President (Teleconference)
John Dyke, Member-at-Large
Naren Gunasekera, Member-at-Large
John Snee, GM Management
Homeowners per sign-in sheet

Site Manager's Report

John Snee presented the following report:

Holiday Meeting Scheduled – Consistent with prior practice, the December meeting is cancelled and there will be a combined November/December meeting at 6pm on November 29, 2022 at the Campus Park Clubhouse.

Financials – John Snee went over the financials with the board.

Annual Meeting – It was explained why the meeting cannot be “adjourned to a date not less 5 days nor more than 30 days from the date of the original meeting.” In order to adjourn the meeting and use the already-received ballots to establish the reduced quorum of 25%, a majority of those owners present would need to vote in the affirmative. In addition to the 16 owners physically present at the meeting, there are 50 owners who are also counted as “present” at the meeting by virtue of sending in their ballots. Those 50 owners cannot vote on whether to adjourn the meeting, and are simply counted as being “present,” so the motion to adjourn the meeting cannot pass because such a motion could not achieve a majority vote.

Striping of Speed Humps – Concrete Cutting and Striping has been given approval to restripe the speed humps throughout the community for \$750. This will be scheduled, soon. Painting parking lots will be deferred until after the next slurry seal. Proposal received for red curb painting proposal is still under review.

New Street Sweeping Service – GI Sweeping is the new vendor performing this service on the 1st & 3rd Thursday of the month. The first service day was October 20.

Landscape – CTR Landscape is providing documentation of as-is irrigation system and making recommendations for future adjustments. VPHOA is adhering to State and City requirements where the turf is not to be watered at all, planters one day per week. Tree Water injection – Under review.

Marquette Pool Light – Board member Matt McNutt provided the following update in a recent email which was summarized in the meeting: I wanted to update you on the lights for this pool. We did have the one at the east end of the pool replaced and now the one at the West End of the pool is flickering. They were switched to LED fixtures approximately five years ago when the pool was re-plastered. I have called Spear pool

repair and he will be out next week to replace the second one that is flickering at the west end of the pool.

I made the decision with the East light to go back to halogen. To replace the LED fixture it was going to be around \$1050 and the halogen fixture is a little over \$500. My plan is to do the same with the west light, return to halogen. For the past 16 years, the halogen fixtures have been much less maintenance than the new LED fixtures.

Alleged Foul Odor at Marquette Street Pool – A Homeowner submitted a HIP reporting a foul odor or sewer type smell near the Marquette Pool. After an investigation by the handyman team and board member Matt McNutt, no such odor could be located, and the owner is encouraged to report any such smells to VPHOA personnel right away if she encounters such smells in the future.

Hand Railing at 6440 A Marquette – Jered and Matt McNutt looked at the hand rail for this unit yesterday. While there is no safety issue, it does need sanding and painting. The determination was made that this is a good time to paint all of the metal hand rails in the complex, where there are approximately 15 of these hand rails. Objective is for Jered to purchase Rust-Oleum black paint and get this project done as soon as possible.

Light Pole Vandalism Email Sent to owners on 9/30/2022 – On Sunday 9/25/22, around 8 pm, someone pushed over two light poles behind 6515A Marquette and 15076B Varsity. This is an act of vandalism and the Board and GM Management are looking for your help. If anyone knows anything about this, or thinks they may have video surveillance recordings from around this time, we would be grateful for your help. These two poles will cost \$3,200 to replace and we were fortunate that the fixture on the top was not damaged. Working together we can make our community better, safer and keep down repair costs.

Alterra and Relation Collections Matters –

John Dyke made a motion to turn accounts GMVP-51-60E-6 and GMVP-64-40B-5 over to Alterra and also to record a lien against these properties for non-payment of HOA assessments. Naren seconded and the motion carried.

Homeowner's Comments

Cheri Toyen, 15122-B Varsity, addressed the board regarding the annual meeting and discussed the process for making a 2nd attempt and asked if a second attempt would be made. Roger Mickish asked for a show of hands from those owners who favored VPHOA making a second attempt to hold the annual meeting.

After a clear majority of those owners who were physically present at the meeting indicated they were in favor of making a second attempt, John Dyke moved to make a second attempt, at which time the quorum requirement would be reduced from 51% to 25%, per the Association's bylaws. The rescheduled annual meeting will be held at 6pm

on February 28, 2023 at the Campus Park clubhouse. Naren seconded and the motion carried. New ballots will be mailed to all owners at least 30 days prior to the meeting.

Christine Frankiewicz, 6462-B Marquette Street, addressed the board regarding the lien collection process used to collect past due assessments from delinquent homeowners. John Snee explained the process.

Stephen Lewis, 6412-A Penn Street, addressed the board regarding the street sweeping service, tree watering, when clubhouses would be remodeled, as well as raccoons, possums and how to eradicate such pests; but, did not wait for an answer. He also asked what methods the board used to vet and review the roof replacement and solar powered vent fan proposals. In response, Roger M reminded everyone that detailed answers to such roofing questions have been provided in prior letters to the homeowners and those answers have not changed. For example, the re-shingle project includes tasks that will correct shortcomings in attic intake and exhaust and their related resistance to fire. The plan includes the install of a solar powered attic ventilation exhaust roof fan. Traditional attic exhaust ventilation methodologies do not achieve adequate attic cooling objectives when there is little to no wind even when vent sizes and placement are per code, the selected solar fan provides adequate cooling under all wind conditions and it is expected to last as long as the shingles ~40 years. The financial business case is that the expected homeowner payback is twofold:

1. Payback relative to utility cost avoidance is < 7 years assuming electrical rates today.
2. New shingles will not be damaged by heat during low wind days and have longer life cycle ~ 40 years.

Ramona Perez, 15054-B Varsity, discussed landscape matters and whether owners are permitted to improve the landscape in front of their units. Roger Mickish explained that while it is technically not permitted for the HOA to deviate from the landscape plan that was originally approved by the city of Moorpark, the board understands and appreciates that homeowners have made improvements over time to enhance the appearance of the landscape near their units. Roger further explained that after the higher priority items, such as the roof replacement project, are finished, then the board will be able to devote more time to improving/restoring the landscape in alignment with the original site landscape plan site-wide.

Jennifer Geidel, 6440-A Marquette, addressed the board regarding her efforts to find pool furniture, and asked if her budget is \$10,000 per pool area. Roger M clarified that the \$10K is budget limit as to what the board is prepared to consider. The procedure is for the committee to carry out a critical review of options that meet the requirements that have been established and present to the board the committee's recommendation of the best value option and also provide the board with supporting documentation so that they can make an informed decision. The board's expectation is that there will be good value options materially less than \$10K per pool. A discussion of some of the requirements included: vandalism resistant, color harmonious with site appearance, robust long life and high value for dollar. John Snee suggested that Jennifer include concrete items as an

option. Naren suggested obtaining a minimum of three bids with \$10,000 as a maximum number.

John Morris, 6479-C Penn Street, addressed the board regarding the new roofs and whether the HOA's insurance premiums might be lowered since the new roofs should reduce the HOA's fire risk exposure. Naren summarized that yes, the steps VPHOA board was taking are consistent with improving the chances of lower insurance rates/costs.

Roger M explained further:

1. Current shingles are at end of life and insurance company may decline to insure unless VPHOA timely re-shingles
2. New shingles are class A fire rated (the highest rating) just like ones being replaced. Thus, this is not likely to be factor for rate reduction.
3. Regarding rate reduction because VPHOA is taking action to satisfy fire defense area issues, insurance companies today are required only to consider fire resistant attic ventilation improvements for insurance rate reductions. But, this will not likely be offered until planned fire-resistant soffits are in place which is a project that will follow the re-shingle project.

Minutes

Roger Mickish moved to approve the regular session minutes of the September 27, 2022 meeting. Roger P. seconded and the motion carried.

Committees

John Dyke discussed the speed hump striping project, trip and fall hazard mitigation efforts and tree water injection methods.

Adjournment of Regular Session Meeting: 7:34 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
September 27, 2022
Location: Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:01 P.M.

Also present:

Matthew McNutt, Secretary, Treasurer

John Dyke, New Board Member as of June 28, 2022

Naren Gunasekera, New Board Member as of August 16, 2022

Homeowners: See 4 persons on attached sign-in sheet

Absent:

John Snee, GM Management

Roger Proulx, Vice President (Telecom)

Approval of Minutes

Roger M. made a motion to approve the regular session minutes of the August 23, 2022 meeting. John D seconded and the motion carried.

John Snee Site Manager's Financial/Site Status Report Given By Roger Mickish:

1. Financials – Same as prior meeting, closed prior year within that year's financial plan. Note that some significant (in plan) 2022-2023 fiscal year insurance premiums have been paid in advance and hitting books in 2021-2022 year end financials.
2. Board Elections – Ballots being sent out in September.

Project Reports

Roger M Status of Major Projects:

1. Shingle Roof plan forward status: **Bid Cycle in progress** – proposal due date 10/15/2022.
2. Street Sweeping Contractor: VPHOA is changing service providers

John Dyke & Matt McNutt -

3. Selected hardscape trip and falls being fixed
4. CTR working with VPHOA Board member John D creating berms around trees which will be useful in providing them water
5. Wood repair ongoing and inspections are part of real estate transactions.
6. Pool light flickering is being fixed.
7. VPHOA board is OK with keeping pool open year around.

Naren Gunasekera

1. VPHOA "As Built" design drawings – Inquired at Moorpark City staff to determine if they existed and will work to obtain a set if they are available.

Homeowner's Comments/Questions

1. Geidel, Jennifer 6440-A Marquette Street

In response to Jennifer Geidel inquiries the board feedback was as follows:

1. Board advised Jennifer that her application to form pool furniture committee was received and would be discussed in executive session. Jennifer is OK on oath of office and ethics and documentation of a scope of work. Action John Snee to follow up with setting up the committee.
2. Board took receipt of two HIPs submitted by Jennifer:
 - a. VPHOA, HIP, GEIDEL, 9-21-22, ODOR BY MARQUETTE POOL

b. VPHOA, HIP, GEIDEL, 9-21-22, HANDRAIL

2. O'Brien/Penzes, Daniel 6516-E Marquette Street

In response to Daniel O'Brien direct questions; board members provided the following feedback:

1. Yes, extreme trip and falls are 100% addressed at the site.
2. CTR personnel who are not carrying out normal activities due to the drought have been undertaking other high value tasks. One example is creation of berms around trees to help keep them watered. Another is CTR documentation of the VPHOA irrigation system that will support making code compliant down the road changes required to deal with more restrictions on water use.

3. O'Brien/Penzes, Katalin 6516-E Marquette Street

In response to Katalin O'Brien direct questions; board members provided the following feedback:

1. Yes, watering of plants in planters is allowed.
2. Yes, board will discuss in executive session that Board agrees that Roger M will forward you all the documents related to the re-shingle request for proposal, based on your assurances:
 - a. You know of a licensed roofing service provider that can successfully take on a large job like this one for VPHOA
 - b. You will be the VPHOA interface with that service provider during the proposal cycle.
 - c. The proposal due date is 10/15/2022

4. Monteverde, Laura 6440-D Marquette Street

Laura Monteverde entered the meeting room toward the end of the meeting for only a few minutes to alert the board that water was running out of back yard of 6516-B Marquette St. board members took action to follow up immediately.

Adjournment of Regular Session Meeting: 6:48 P.M.

Minutes taken and transcribed by Roger A Mickish VPHOA Board President

Varsity Park Homeowners Association
Board of Directors Meeting
August 23, 2022
Location: Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:06 P.M.

Also present:

Matthew McNutt, Secretary, Treasurer
Roger Proulx, Vice President (Telecom)
John Dyke, New Board Member as of June 28, 2022
Naren Gunasekera, New Board Member as of August 16, 2022
John Snee, GM Management
Homeowners: See 12 persons on attached sign-in sheet

Approval of Minutes

Roger M. made a motion to approve the regular session minutes of the July 26, 2022 meeting. John D seconded and the motion carried.

Reading of VPHOA 10th Letter to Homeowners Since GM Management Became Site Manager: See Attached Below

John Snee Site Manager's Financial/Site Status Report:

3. 10th Letter to homeowner since GM Management became site manager – Read/present contents to the extent required to be adequate to be formally included in the meeting record.
4. Financials – Closed prior year within that year's financial plan. Note that some significant (in plan) 2022-2023 fiscal year insurance premiums have been paid in advance and hitting books in 2021-2022 year end financials.
5. Board Elections – Ballots to be sent out in September.

Project Reports

Roger M Status of Major Projects:

1. Shingle Roof plan forward status:
 - a. **Malarkey Legacy Shingle** – baseline selection; this is a rubberized asphalt shingle that is thick making it a longer life shingle and available on West Coast.
 - b. **Four Bid Cycle Roofing Contractors Identified** – baseline selection; four contractors selected that are local, 3 qualified by Malarkey and All American our present service provider.
 - c. **Malarkey Legacy Shingle Installation Procedure** – Business case nearing completion: Shingle manufacturers stipulate procedure to be followed depending on warranty. But, as a rule the manufacture warranty only has significant value for owners of single family homes, not HOAs. Most likely VPHOA's requirements document and/or statement of work will follow a procedure identified with a warranty that is best value for Moorpark CA. The procedures related to warranties allow some flexibility in materials used in the various tasks that are undertaken in reroofing. The higher warranty is less flexible. The business case for selection of specific materials/procedures for roofing sub tasks is discussed below.

- d. **F8 Drip Edge** – baseline selection. VPHOA has identified F8 Drip Edge manufacturers and all are east of the Mississippi. Proper installation is an issue. Most roofing contractors install incorrectly – especially on the west coast USA. More specifically, scientific testing clearly indicates vertical drip edge must be positioned ~ ½ from fascia vs. flush against fascia.
- e. **Sealing of Roof Penetrations will be Ice and Water Shield; Not Mastic** – Baseline selection is Malarkey product. Mastic cracks, leaks and otherwise deteriorates after 10-15 years. As a consequence leaks occur in the roof composed of long life shingles requiring costly service calls to service providers. By using 50 year ice and water shield these foreseeable service calls are avoided.
- f. **Ice and Water Shield at Eave** – VPHOA requirements and/or statement of work will call for install of ice and water shield at the eave edge if it is required in the warranty procedure selected. Otherwise the decision may be made to not install ice and water shield at the eave since ice does not accumulate on the edge of roof in Moorpark California and thus the installation of ice and water shield may be found to not add significant value when the drip edge is properly installed.
- g. **Ice And Water Shield at Roof Interface with Adjacent Wall** – VPHOA requirements and/or statement of work is in work regarding best approach to install shingles on roof at adjacent wall interface. It is expected that the current installed interface meets current code and approach to be stipulated in the requirements document and/or statement of work is to remove and replace shingles following industry standard procedures and maintain a robust interface with a lifetime that will exceed the life cycle of the new roof. In this regard, if any of the roof/wall interface locations require modification and/or repair and use of a seal material is required, then use of long life ice and water shield is required, not mastic.
- h. **Underlayment** - Baseline selection is Malarkey product that allows attic moisture to escape. Underlayment is a sheet material that is placed over the tongue and groove boards upon which the roof shingles are attached. This material is not adhesive like ice and water shield.
- i. **Attic Ventilation** - Inadequate attic ventilation impacts both shingle lifetime and homeowner utility bill in negative ways. VPHOA preliminary calculations and sample inspections of as built attic ventilation of units indicate shortfalls in both attic ventilation intake and exhaust. VPHOA is continuing with detailed calculations to accurately quantify ventilation intake and exhaust areas “as built” vs. code “should be”. The information will be included in the requirements document and/or

statement of work which will also include guidance on engineering solutions to address as built shortcoming. Details follow:

- a. Attic cooling employing traditional intake and exhaust screen covered ports increases with wind: Typically multiple intake screened apertures (vents) are located under eaves and exhaust aperture(s) (vent(s)) are located at the high point on the roof or positioned at the high end side wall near the gable. On zero wind days, attic cooling is achieved only by convection of hot attic air leaving at the exhaust vent(s) and cooler air entering at the lower intake vents. Research papers that publish test results indicate that negligible cooling is accomplished on zero wind days (<< one attic room air exchange per hour). This results in very hot attics and shingles/roofs. The more frequent the zero wind days, the shorter the lifetime of the asphalt shingle and the higher the home utility bill. As winds pick up, the number of room air exchanges per hour increase to a point of diminishing returns relative to cooling which is likely to be around 3-5 attic air exchanges per hour. Based on the data presented in research papers reviewed, the wind speed this 3-5 attic air exchange rate is likely to be realized at 10mph wind speed if the attic intake and exhaust vents are properly sized and located.
- b. Intake Vents – If it is found that there are shortcomings in intake vent total area and/or location and vent(s) must be added, it is foreseeable that the only option open will be to install intake vent(s) near an eave edge. The VPHOA baseline selection for roof mounted intake vent is made by O’Hagin and is fire rated.
- c. Exhaust Vents – VPHOA baseline plan is to install solar powered exhaust vents to ensure 3-5 air exchange rates per hour under all wind conditions. Selection of best value solar powered exhaust fan is in work. Consistent with air flow engineering and physics, existing vents at the gables and on roofs will be closed and all air flow will exit via the solar fan.
- d. Attic Ventilation Fire Protection – The VPHOA baseline plan is to install fire protection screens approved by CA Fire Marshall on both intake and exhaust. The fire hardening of existing intakes under eaves will be accomplished when soffits are installed. All roof mounted exhaust vents will be fire rated and installed integral to the re-shingling.

2. John Dyke –

- a. Selected trip and fall fixed

- b. CTR creating berms around trees which will be useful in providing them water

Homeowner's Comments/Questions

It is appropriate to note that approximately half the 12 homeowners sat at two tables, in apparent clicks, at the back of the room 20' away. It was often very difficult to make out what was being said.

The issues of priorities and procedure came up repeatedly in the discussions between homeowners and board. VPHOA responded that the HOA follows policies and procedures in alignment with statutory law, CC&Rs, best business practice, etc. Relative to John Snee's comments, routine repair and maintenance is a site manager, John Snee, responsibility. Tasks outside of routine maintenance are projects for which business cases and related project plans must be developed, proposed to the board for critical review and approved and also prioritized. When one homeowner brought up an issue that the VPHOA board was addressing, some of the other homeowners would make a point that the VPHOA was not moving fast enough. Such cases tended to be "nice to have" or otherwise low priority projects rather than urgent or must do high priority projects. VPHOA repeatedly responded that the HOA is a business/a corporation whose resources are expended on the basis of priorities and based on board informed decision.

There were questions that come up about landscaping and it was explained again that VPHOA has backed off on the larger hardscape tasks that involve landscaping. The hardscape part of the task is being replanned and the landscaping portion of the task will also be re-planned and re-scheduled as appropriate - until we are more confident that landscaping can be watered or otherwise. The trip and fall hardscape subtasks that are being re-planned are being carried out ASAP.

Halfway through the discussion a homeowner asked that the wall mounted air conditioner be turned on. New board member John Dyke rose from his seat to attempted to turn it on. At that point, Board members and homeowners informed him that the unit had not worked for years.

5. Moseby, Lina 15068-B Campus Park Drive –
Asked question about \$50K insurance deductible.
Feedback: Same answer as last month. Homeowner's HO6 insurance should be purchased to cover \$50K loss assessment if HOA issues assessment of that amount.
Request trash cans at pool inside fence
Feedback: Address in Executive Board Meeting
6. Andrews, Malena (Pandey, Carol; VPHOA records show as owner); 15022-C Campus Park Drive:
No clear questions.

Prior to the end of the executive sessions, the board checked the homeowner list and found that Malena Andrews was not on the homeowner list as owner. This is an issue because arrangements for persons other than homeowners must be made with John Snee before they can attend board meetings or they are invited/accompanied by the homeowner.

Malena alleged via comments and actions that her wrist wrapped in gauze resulted from a trip hazard in vicinity of 5091 Campus Park Dr.

Feedback: Yes, fixing trip hazards is a VPHOA on-going high priority.

John Dyke indicated that the location would be timely inspected for hardscape corrective action.

Matt indicated the board welcomes homeowners pointing out to John Snee when they notice such problems.

7. Madrid, Jill 15076-B Varsity Street: Addressed the board regarding landscape matters.
8. Frankiewicz, Christine 6462-B Marquette Street
Questions about what homeowner HO6 insurance should cover.
Feedback: Same answer as last month board meeting. Homeowner's HO6 insurance should be purchased to cover replacement of interior and \$50K loss assessment if HOA issues assessment of that amount.
9. O'Brien/Penzes, Daniel 6516-E Marquette Street
Questioned why John Snee violation letters require homeowners to respond immediately and homeowners are expected to support site problems being fixed over longer time.
Feedback: John Snee led reply including explaining second paragraph in this section above plus:
 1. Violation letters are tied to contract terms and conditions that homeowners signed up to when they purchased the unit in which they reside. In general such violations are not a surprise to the homeowner and it generally does not take a significant amount of time and effort to correct. The opposite situation exists for the site taking corrective action on non-routine problems that surface.
 2. Regarding issues that are a VPHOA site responsibility to correct, yes it is usually OK to place a telephone call to GM Management for simple routine maintenance issues while other non-routine maintenance issues require a Homeowner Improvement Proposal (HIP). Yes, VPHOA supports continuous process improvement and will consider suggestions from homeowners to improve the HIP or any other process.
10. O'Brien/Penzes, Katalin 6516-E Marquette Street
Question was asked about procedure for termite inspection.
Feedback: John Snee led reply explaining that inspections are automatic with real estate transactions. Homeowners may submit a HIP otherwise.

11. Geidel, Jennifer 6440-A Marquette Street

Questions about immediate VPHOA board support on the following site issues:

- a. VPHOA relook at hardscape and fix discontinuities to avoid trip and fall injuries
- b. Paint stripes on speed bumps, refresh paint on curbs and mail boxes
- c. Purchase and Install Pool Furniture
- d. Lead a VPHOA committee to help

Feedback: In reverse order

1. John Snee suggested Jennifer contact him to start the process of looking into forming a committee.
2. Matt explained that identifying pool furniture is a project effort to obtain quality, long-lifetime pool furniture. Davis Stirling provides for committees made of homeowners to be formed to support doing such planning and proposal work. What is required is business case for doing the task in the first place and then project plan details including cost and schedule.
3. Matt explained that the handyman team is oversubscribed on mustdo action items that supersede such painting proposals. In any case, the VPHOA board will discuss in executive session the hire of 3rd party contractor to paint.
4. See the third paragraph of this section above. More specifically, Matt and John D both indicated that VPHOA is in fact now in the process of relooking at hardscape because the prior plan has to be modified because of the drought program.

12. Toyen, Cheri 15122-B Varsity Street

Cheri addressed the board regarding landscape and weed removal. She also offered to serve on a roof committee, if one is formed. She also discussed the dues increase.

13. Momani, Luay 6542-D Marquette Street

Questioned why VPHOA wasn't responsible for paying for high cost plumbing repair interior to his unit.

Feedback: John Snee and Roger M explained that VPHOA was a PUD and not a condominium. Per CC&Rs and other statutory law, PUD homeowners have freedom to remodel and change interior. With the opportunity to change comes the responsibility to fix if something related breaks.

Asked about installing solar panels

Feedback: Naren indicated that it will be difficult to obtain permit and did not explain further. No discussion followed.

14. Monteverde, Laura 6440-D Marquette Street

No clear questions. She brought up items that were closed out roughly one year ago (area lighting faulty electrical box) and ongoing (hardscape maintenance), high-priority safety issues that she asserted took too long/is taking too long to fix.

Feedback: John Snee asked if there was anything not fixed that she had reported. Laura did not answer the question. Instead, she made statements directed to the other homeowners alleging board performance shortcomings. Again the statements were not directed to the board as is the purpose of the Homeowner Comments/Questions period. Note that homeowner presentations are allowed; but, they must be arranged prior to the meeting.

15. Pasricha, Hans 6516-C Marquette Street

No clear questions. Hans provided a brief summary of his conclusions reached from what appeared to be his first attendance at a board meeting. He indicated that he has a better appreciation of what must be done to plan for reroofing the site and the fact that projects that come up must be prioritized.

Feedback: John Snee asked Roger M to comment which was that it appears that the VPHOA board and Hans are on the same page.

16. McCormick, Jean 6462-D Marquette Street

No questions at this time. Jean indicated that she may have something next week.

Adjournment of Regular Session Meeting: 7:38 P.M.

Minutes taken and transcribed by Roger A Mickish VPHOA Board President

Varsity Park Homeowners Association
Board of Directors Meeting
July 26, 2022
Location: Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:06 P.M.

Also present:

Matthew McNutt, Secretary, Treasurer (Telecom)

Roger Proulx, Vice President (Telecom)

John Dyke, New Board Member as of June 28, 2022

Insurance Agents:

Robert Pufahl Pufahl Insurance Agency, Inc. 2775 Tapo St suite 102
Simi Valley, Ca. 93063 (805) 520-4872 Office

Joe Smigiel CIRMS President JS insurance Inc. 805-857-1490

Homeowners: See attached list

(Not Present)

John Snee, GM Management

Opening Remarks Presented by Roger M

1. **John Dyke:** New board member

2. **Meeting Flyer Invitation:** Thank you to the unknown person who sent out a flyer reminding homeowners of this board meeting.
3. **Insurance Disruption:** Because of the possibility of a large number of homeowners attending due to recent disruptive events of insurance/HOA fee increase and drought the meeting the board is allowing homeowners to ask questions and make related comments. The special agenda planned is to proceed in the following order:
 - a. Approve Open Meeting Minutes 6/28/2022
 - b. Manager's Financial/Site Status Report
 - c. VPHOA insurance agents are present to answer questions
4. **Drought Disruption:** Restriction of irrigation is being imposed by the state of California indefinitely. VPHOA is complying.

Minutes

Roger M. made a motion to approve the regular session minutes of the June 26, 2022 meeting. Matt seconded and the motion carried.

Manager's Financial/Site Status Report

7. Financial Good – Roger M indicated that the Financial Report reflected operations within budget now and expected to also be within budget at year end.
8. Tenant of one of the buildings that tree fell on in 1/19/2021 wind storm sued Moorpark City and others (including VPHOA) for declining to issue a permit to remove the tree in 2020. The VPHOA board was never aware of the tenant's request. Farmers is handling the litigation.
9. CTR – Landscaping complying with drought requirements. Thus, new planting is on hold. VPHOA is also throttling down landscape tasks such as planting were trees have been removed. Urgent Trip and fall and other urgent items to continue.
10. Tree replanting to be placed on hold until VCFD supports VPHOA meeting Fire Defense Area Requirement.
11. Moving forward on roof re-shingling which will include adding soffit to eaves to fire harden and bring attic ventilation into alignment with code.
12. Handyman Team moving forward with general repairs and maintenance and supporting planning for effort above.
13. July 1, 2022 letter required a 2nd step letter July 16, 2022 because of Farmers non-renewal of insurance and financial details of replacement insurance was not defined until July 16, 2022 when old policy, extended for two weeks, expired.
14. Candidates for board are to be summited < August 1, 2022 in one document and < August 3, 2022 in another as a homeowner pointed out and asked which date is "correct". During the homeowner's comments period the homeowner was advised to See John Snee for that answer. The board did not dwell on this point because following statutory law the date favorable to the non-writer will be supported by VPHOA.

Jacqui Irwin's Saturday July 9, 2022 911 Emergencies Event:

Roger M reported on attending State area representative Jacqui Irwin's Saturday July 9, 2022 911 Emergencies Event (and related research) in the 805 area code that was focused on Fire and drought disruptions that have been hitting Ventura County hard:

15. A major issue for the event is that Insurance companies
 - a. Dropping insurance for many in Ventura county and replace with astronomically high cost high risk category insurance.
 - b. Hire 3rd party contractors to run computer program that assigns fire risk based solely on distance from brush that could lead to wildfire urban interface fire. VPHOA risk assessment is 76/100. A site must have a brush risk < 50's in today's market to obtain a regular risk policy.
 - c. Not giving credit for VCFD defense area improvements
16. California Insurance Commissioner Agent's presentation confirmed that driver is major fire payouts of insurance companies and they are canceling policies and replacing with higher cost policies defined as "higher risk". VPHOA is an example.
17. Ventura Regional Fire Safe Council had two agents give excellent presentation on what homeowner can do the bring site into alignment with VCFD defense area improvements. Roger M also had a sidebar discussion with ex-firefighter, Mike, on the staff.
18. Roger M explained to all of the above persons/organization representatives:
 - a. VPHOA Has not been able to obtain the necessary support From VCFD to alignment with VCFD defense area improvements relative to trees. This is because laws neither have yet to be passed to guide them nor has funding been provided that provides them budget to perform this service. This may change in January 2023.
 - b. Moorpark City follows landscape law that avoids removal of trees unless required by VCFD or arborist.
 - c. Arborist knows nothing about fire code and do not have credentials that support their self-initiated interject into the VCFD defense area cause. Instead they favor California landscape code and the basic principal of their specialty license to avoid removal of any tree once planted.
 - d. Tree service companies (Tree removal and trimming) know nothing about fire code and in general their business model is consistent with landscape law to micro-trim and never cut down a tree absent arborist indication that it is dead or dying.

Reading of VPHOA Annual Homeowner Letter 7/16/2022 Insurance Section For Record & For Insurance Agents to Comment On

Roger M summarized to the insurance agents and homeowners present what the board has been reporting to homeowners and asked the insurance agents and homeowners to comment and correct accordingly:

- e. Roger M read the insurance summary in the July 16, 2022. Note:
 - i. See the July 16, 2022 letter to homeowners for details.

- ii. Note: The information was incorporated into a Findings and Resolutions document, that following best business practice, documents the sudden increase in VPHOA insurance costs for the record. (Related to Davis Stirling Civil Code 5610; but, which was not required.)
- f. Roger M went beyond the information in the July 16, 2022 letter emphasizing that:
 - i. If the homeowners knew how difficult it was to produce the insurance package that Robert Pufahl and Joe Smigiel delivered, they surely have a parade and carry the two around on their shoulders. It took two agents working together to put it together.
 - ii. It is quite clear working with multiple brokers that once the customer is identified as high risk, then absent CC&Rs specifying otherwise, the insurance companies will not fund repair and/or rebuild of the interior of the home. This is called a “bare walls” insurance policy. The homeowner must update his/her HO6 insurance policy to cover. This “bare walls” limitation now applies to both earthquake and the site general insurance policies. This is discussed by insurance agents below.
 - iii. “Bare wall” insurance covers \$60M which is less than the \$85M prior Farmers policy that covered interior improvements. The \$60M is consistent with CC&Rs requirement to have 100% insurance coverage.

VPHOA Insurance Agents Report/Presentation & Homeowner’s Comments/Questions

Roger M introduced the two VPHOA Insurance agents to the homeowners:

- **Robert Pufahl Pufahl Insurance Agency, Inc.**
 - a. 2775 Tapo St suite 102 Simi Valley, Ca. 93063
 - b. (805) 520-4872 Office
- **Joe Smigiel CIRMS President JS insurance Inc. 805-857-1490**

Robert Pufahl and Joe Smigiel stated their assurance that the information just presented by Roger M as being provided to the homeowners by the board is correct. Robert Pufahl and Joe Smigiel elaborated that insurance industry is in crisis. In recent years, reinsurance companies have been losing money because of fires. They are leaving California. Those that stay will only write reinsurance for bush risks < ~50/100. Customers like VPHOA must go the primary carriers to write “wedding cake” stacked policies that spread the risk and they are “bare walls” only.

Both Robert Pufahl and Joe Smigiel confirmed that putting together at “wedding cake” policy was extremely difficult. Joe Smigiel emphasized that he obtained the first layer of the policy at \$40M to make pulling the deal together possible for Robert Pufahl who asked for his help. You cannot assume that large of an amount will be available next year.

Joe Smigiel meeting notes follow (See attached Important Notice):

“As we discussed please see attached “Important Notice” summarizing what each party is responsible for. I did add to the form based on our conversation last night. Here are two of the main points we discussed:

1. This is a “Bare walls” Policy. It covers the units only up to the unfinished drywall, subflooring and sub ceiling. The Unit owner is responsible for everything else on the interiors. Unit owners can get this coverage through an HO-6 policy. “Condo Owners policy”. Our agency can help with this coverage if needed.
2. Unit Owners also need to obtain at least \$50,000 in loss assessment coverage that could potentially be used to handle the master policies deductible of \$50,000 per unit. Please have them ask their personal insurance agent if this applies with the policy they have or are purchasing.
3. They also are responsible for their personal items, personal liability and loss of use.

Robert Pufahl mentioned that purchasing insurance for VPHOA was difficult because the association was responsible for so much. The scope of work of the association where he lives is confined to irrigation of plants.

Break at ~7:25PM – 7:35PM to Allow Insurance Agents to Exit

Homeowner’s Comments/Questions

Insurance questions:

The insurance related questions asked had already been answered in the documents previously provided to homeowner. As it turned out Robert Pufahl and Jim Smigiel provided the homeowners the same answers in their words. Other issues discussed follow:

1. Where did the bush risk factor of 76/100 come from and is it possible that they got it wrong:
 - a. Unknown computer businesses are hired by insurance companies to calculate the scores. The insurance companies shield them from the public.
 - b. Yes, it is likely that the analysis is based on distance from brush (south of highway 118 as the main factor) and does not adequately take into account VPHOA north winds and Highway 118 as a fire barrier and thus it is likely that VPHOA bush risk factor of 76/100 greatly overstates the risk faced by insurance companies. On the other hand VPHOA has wrong trees growing in the wrong place and other shortcoming relative to implementing Fire defense area code. Most likely this problem is not in the bush code. If the insurance companies were to inspect and become concerned about the wrong trees in the wrong place, they would not be inclined to lower insurance rates based on an excuse – “Moorpark City will not approve removing more trees that do not conform to fire defense area code unless VCFD enforce that code for prior

approved landscape plans which historically VCFD has not been willing or able to do.”

- c. No, it is unlikely that VPHOA could pay for the Simi Arroyo to be cleared of bush and the brush risk factor of 76/100 would drop to the acceptable levels <~50s/100. Same explanation as 1.b above
2. VPHOA is being singled out. Correct? Answer: No not correct. Many people in California have been hurt by the insurance cancelations and drought. This is why California State Assembly member Jacqui Irwin had the event July 9, 2022 in Thousand Oaks, CA. She arranged to have State Insurance Commissioner and fire officials face the Ventura County public and answer their questions directly. For more information see Jacqui Irwin and state insurance commissioner web pages,

HOA Dues Increase & Related Management Issues:

Why there was a need to raise the dues since the HOA barrowed \$1.3 M many years ago to fix the site and that was done.

Answers:

1. The site is very difficult to manage relative to other sites. See for example Robert Pufahl comment above.
2. Very few management companies and/or boards have the skills to deal with all the issues. This can be seen by critical review of items in the reserve report in the July 16, 2022 letter that is only 65% funded currently. There is not an excess of funds.
3. The HOA vested interests promote is very much incorrect - that all the board has to do is tell the site manager to hire any licensed specialty contractor and a perfect job will be done at excellent value for the dollar.
4. The fact is that for the first 25 years the above procedure was followed and the site fell into disrepair. In the 2005 time frame \$1.3M had to be borrowed to catch up on 25 years of deferred maintenance. Even after that \$1.3M was accomplished and even now there is much more work to be done.
5. That \$1.3M loan was paid off in the 2012-2013 budget period.
6. Sure footed stepwise progress has since been made to build up reserves, obtain better value for dollar from contractors etc. The cautious steps made it possible for VPHOA to deal with the sharp increase in insurance premiums by dipping into the budget buffer in the operations funds and raising dues 20%.
7. Regarding projects and related costs, details of near term projects have been placed in the July 1 letters and more recently in the letters to Homeowners since GM Management took over. See reserve report for the site overall reserve plan for maintaining the site.
8. How was GM Management selected – The following is a longer version of the short statements made by Roger M to answer the question: VPHOA developed a

list of HOA management companies from web including but not limited to Thousand Oaks emergency contact list, HOA - Community Associations Institute, HOAs registered with State of California at Moorpark and surrounding areas zip codes. The total number of management companies on the list was on the order of 100. The VPHOA board critically reviewed each for match of capability vs. VPHOA needs. The list was whittled down to approximately 15. Telephone calls were made to those on this and all but about 4 four said NO because VPHOA is too difficult – see reserve report for what site manager must be knowledgeable about. One of the site managers was retiring and did not want to take us on during the transition to a new owner. She, Linda Hofer advised us to wait for the new owner who may have different policies and procedures. Two of the site managers that were anxious to sign up were not acceptable to the board. They could not show that they had experience successfully managing a site like VPHOA. Their business model appeared to be to call a 3rd party service provider who would be given free rein to do whatever and then the site manager would simply pass on the resulting invoice. Of course this is the way VPHOA was run the first 25 years and created the deferred maintenance crisis with no money in the account noted above leading to the need to take out a \$1.3M loan. The VPHOA board found GM Management operations model conformed to them being on top of the site and making informed decisions. They also had demonstrated experience in successfully managing complex sites like VPHOA.

9. A homeowner brought up that the board gave high priority to update the club years ago and have yet to move forward on that update. Answer: Yes, this is correct for both landscaping and clubhouses. Urgent “Must Do” issues came up and were given higher priority than “Should Do” clubhouses and landscaping updates.
10. Note that the planned “should do” clubhouse updates require significant board involvement and support in the design/build effort. Major changes are planned in original elements: doors, windows, walls, lighting and kitchen; new elements required to support modern meetings of homeowners and the board: internet, related electronics, and view screens and new elements related to an emergency command and control center capability that will be operational during power outages and other emergencies.
11. For the record, landscaping “should do” improvements appear to be homeowner higher priority than update of clubhouses and absent well founded information to the contrary, landscaping will continue to be given higher priority.
12. Again, the very highest high priority “must do” tasks in the immediate future are re-shingle the roofs and bringing down the insurance premiums and reduce risk to life/property by becoming more in alignment with VCFD fire area defense issue.

VPHOA Landscape and Related Drought Issues

There were questions that come up about landscaping and it was explained again that we are backing off on the larger hardscape tasks that involve landscaping until we are more confident that landscaping can be watered.

Broken concrete walk section east of 6440 D Marquette: John Dyke took the action to look into a temporary fix. It was previously planned to be a larger landscaping and hardscape corrective action task but is now on hold due to the drought issues.

There are a number of locations at the site that corrective actions must be taken to bring back original design rainwater runoff flow. It was brought up in the meeting that water gathers near the front doors of buildings 15054 and 15112. Re-contoured is the preferred approach to meet the original ground water runoff specification. However, re-contouring will involve disturbance of the ground < 5' from the building. This area must comply with VCFD defense area code and before going forward more information must be gathered and a plan developed that meets those requirements as well.

VPHOA Management/Board Election Issues

In response to questions/comments the following points were made:

1. As noted above the due date of the application for board election of August 3, 2022 will be honored in alignment with statutory law.
2. The VPHOA board very much favors filling the empty board slots as soon as possible.
3. No homeowner volunteered to participate in a committee to support progress.

Adjournment of Regular Session Meeting: 8:16 P.M.

Minutes taken and transcribed by Roger A Mickish VPHOA Board President

Varsity Park Homeowners Association
Board of Directors Meeting
June 28, 2022
Location: Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:01 P.M. Also present:
Matthew McNutt, Secretary, Treasurer (Telecom)
Roger Proulx, Vice President (Telecom)
John Snee, GM Management
John Dyke, Homeowner

Manager's Site Status Report

John Snee presented the report.

Minutes

Roger M. made a motion to approve the regular session minutes of the May 24, 2022 meeting. Roger P. seconded and the motion carried.

Financial

John Snee presented the Financial Report.

HOA Business

The board directed that John Snee move item 15007-D Varsity to the "closed" tab on the HIP spreadsheet due to no response from owner on supplying a completed HIP for the alleged interior water damage.

Roger P. offered to join John Snee for the next scheduled site inspection.

The board asked John Snee to have Venco update the certificate of insurance to reflect that the address for the certificate holder is 40 W. Easy Street, Suite #1, Simi Valley.

Matt reported he would reach out to Waste Management and take the lead and having some large bins swapped out for smaller bins.

Landscape – Matt discussed that he has been working with Chris of CTR Landscape to address challenges with the sprinklers/zones that use the 360 degree rotating heads and that adjustments are being made to the watering time duration to help ensure all of the grass gets watered.

Roger Mickish reported that landscape rehabilitation where the trees were recently removed had to be put on hold in light of the current drought and watering restrictions.

Budget – The Board of Directors of the Varsity Park Homeowners Association (VPHOA) is required to provide homeowners once a year with a copy of the 2022-2023 Budget and relevant documents and disclosures that keep owners informed and/or complies with applicable California Civil Code. This year it will be accomplished in two steps: the first step will be a letter sent on July 1, 2022 that will update the owners on all but the budget and insurance. The second letter will be sent to the owners approximately July 16, 2022 with new budget and new insurance

coverage document. The two steps are required because Farmers Insurance gave VPHOA late notice that they could not offer to renew the insurance because they could not obtain reinsurance due to a 76/100 fire risk score. To comply with law, Farmers extended the current insurance coverage to July 16, 2022. VPHOA is working to obtain replacement insurance to be in place July 16, 2022. Once that is accomplished a new insurance coverage summary and budget will be mailed to homeowners in the second step letter. An executive summary of the impact of the non-renewal of insurance is as follows:

1. VPHOA due/fees most likely will be increased the full 20% to \$504/month because of major increase in insurance. A special assessment funding approach is also being considered along with taking out a loan and making lower monthly payments over a longer term.
2. The increased cost of insurance and related factors:
 - a. Farmers non-renewal -
 - i. The Farmers agent was notified May 3, 2021 and VPHOA was notified June 2, 2022 that the existing Farmers insurance policy would not be renewed. The current insurance contract was extended to July 16, 2022 to address legal requirements of the number of days advance notice must be given before insured's insurance policy ends.
 - ii. For sites > \$50M value (VPHOA is valued at \$85M base) two (2ea) insurance companies must write policies. The base policy is written by a primary insurer like Farmers and the second policy is written by a reinsurance company. The primary insurers have staff that critically review and assess risk while reinsurance companies deal only with numbers.
 - iii. Farmers wanted to renew the VPHOA policy but could find a reinsurer who would sign a policy because the VPHOA site has been assigned a brush wildfire risk of 76/100. Note: Wildfire brush risk scores are purchased from independent 3rd party contractors who have developed fire risk codes for insurance industry similar to earthquake and flood risk codes. In this case brush area exists south of the 118 freeway and that is what is being said is the cause of VPHOA high score.
 - b. VPHOA replacement insurance coverage is limited to very high cost Options –high insurance rates must be paid to multiple primary insurers who are willing to partially insure the site – using this approach a reinsurer is not required. VPHOA has been advised by brokers that the estimate for full coverage using this “wedding cake” option is \$1.5M vs. \$133K the current rate. CC&Rs and financial institutions that support mortgages require full insurance coverage.
3. Root cause of non-renewal is Multi-billion dollar Wildfire losses: Insurance industry has had to pay out billions due to wildfire losses. As a consequence reinsurance companies must reduce the number of existing policies so that their financial exposure is in line with their dramatically reduced net worth. The approach they have taken is run brush fire risk score code when a renewal comes up and writes reinsurance policies for only brush fire risk ≤ 50 s. Since VPHOA brush fire risk score is reported to be 76/100, no reinsurance company will write the required reinsurance for a standard policy.

4. How long it will take to get back to normal primary insurer and reinsurance policy is unknown.
 - a. The fire risk score of 76/100 appears to be overstated. One approach to obtain correct value is to calculate value for each address. But, this will not going to bring the score down to the 50s which is required in today's environment by reinsurance companies to write a policy.
 - b. The single fire risk score generated by a simplistic computer code is the only consideration by the current insurance industry. They ignore the fact that VPHOA dramatically reduced site fire risk in 2021 by bringing the site into compliance with Ventura County Fire Department Fire (VCFD) Area Defense code.
5. This July 1, 2022 letter sent out will be updated with insurance policy and budget information as soon as it becomes available > July 16, 2022.
6. Civil Code 5610 Findings and Resolution letter: The facts above and other information will be incorporated in a final Findings and Resolutions letter and attached to the July 16, 2022 letter: Civil Code 5610 text includes:

“Board shall pass a resolution containing written findings as to the necessity of the extraordinary expense involved and why the expense was not or could not have been reasonably foreseen in the budgeting process”

High Priority Roof Re-shingle Project: VPHOA Board is working to a plan to re-shingle the entire site starting 2022 and finishing no later than 2023. See letter written in advance of April 26, 2022 board meeting and earlier discussion of driving factors that have been considered:

1. Best Shingle – Rubberized asbestos performs better than asbestos only. Malarkey makes an excellent rubberized shingle and that is the manufacturer that sells them west of the Rocky Mountains.
2. Attic Ventilation/Cool Roofs and Home Structure: Lifetime of shingles is dependent on proper attic ventilation and keeping air conditioning cost down in the home. The plan is to analyze adequacy of present attic ventilation. Expectations are that required improvement will be achieved by mounting solar exhaust fan on roof as part of re-shingle process.
3. Warranty and Related Shingle Install Procedure: Critical path item. Different warranties require different procedures which it is well known that many roofing companies and/or their front line workers do not follow. Critical elements are:
 - a. Ice and water shield – prevents environmental related damage around edges of roof
 - b. Proper drip edge that is properly installed – prevents water from running down and damaging side of building. Drip edge was never previously installed correctly at VPHOA site and that is why costs for repair of fascia have been high historically.
 - c. Shingle underlayment (sheet that covers roof deck prior to nailing on shingle) that should be able to breath because of the way building was built.

4. Licensed Roofing Specialty Contractor and Malarkey Certified: Critical path item
5. Request for Proposal and Bid and Award Cycle: Critical path item. The best case scenario is that a contract award may be possible in the September 2022 time frame.

Collections –

Roger Mickish moved to approve the recording of a lien on account GMVP5020C2 for delinquent assessments and to turn over to Alterra. Roger Proulx seconded and the motion carried.

Roger Proulx moved to approve the recording of a lien on account GMVP5091D4 for delinquent HOA assessments. Roger Mickish seconded and the motion carried.

Homeowner's Comments

John Dyke addressed the board regarding landscape maintenance/watering as well as raised concrete outside his unit. Mr. Dyke also presented a candidate nomination form and offered to serve on the board. He also discussed that he would consider drafting a letter to the state government in Sacramento detailing the hardships that the wildfire brush rating system is causing the HOA.

Adjournment of Regular Session Meeting: 7:25 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association

Board of Directors Open Meeting

May 24, 2022

Location: Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:04 P.M, Also present:

Matthew McNutt, Secretary, Treasurer

Roger Proulx, Vice President (Called In)

Not present:

John Snee, GM Management

Homeowners Present:

Mohsen Molaei Sakineh Alizadeh; 6488-B Marquette St (New Owner)

John Dyke; 6505-F Penn St. (New Owner)

Beatrice Scalise; 6508-B Penn St

IN JOHN SNEE'S ABSENCE ROGER M SUMMARIZED THE SITE STATUS & MANAGEMENT REPORT AS FOLLOWS:

Board Meeting Schedule: Back to normal schedule for board meetings

1. Face to face, both open and executive sessions every month
2. John Snee site manager will attend every other month. John Snee will not attend 5/24/2022
3. Board meetings on 4th Tuesday of month except November/December. Because of the two holidays, only one meeting is usually scheduled first week of December.

Hardscape 2022 Is Being Split Into Two Phases:

1. Higher priority tasks determined at 4/21/22 job walk to warrant immediate attention. CTR subsequently submitted conforming proposal to be discussed in executive meeting today.
2. Hardscape tasks in this second phase are not urgent; but, they require extensive planning, statement of work development, grouping for economies of scale and labor intensive bid and award where every discrete task must be critically reviewed and priced on the service provider side, evaluated by VPHOA and subsequently negotiated. Work will continue on a non-interference basis relative to the much higher priority roofing project:
 - a. Clean up site after tree removals and aggressive trimming
 - b. General maintenance including proactively addressing trip and falls
 - c. Repair and maintenance of site storm water drain system, etc.

New homeowner, John Dyke, noted that the concrete stairs leading to his home have a number of problems, including a trip and fall and asked if the work was scheduled in the first phase. Matt's answer was that the complete removal and replacement of the stairs is currently planned for the second phase. Matt took the action to job walk the 6505-F Penn St. stair problem with the John Dyke tomorrow 5/25/22 to see if something more immediate should be done in the first phase.

Ventura County Fire Department – Sent annual notice requiring mowing of area between VPHOA south wall and 118 Freeway. CTR has been contracted to accomplish by 1 June 2022 deadline.

Farmers Insurance: VPHOA immediately answered no to two questions related to site building eave designs having fire resistance treatment or fire resistant stucco covering. The questions are likely related to the annual insurance proposal that is due at this time and the fact that the VPHOA area is now considered to be in a high fire hazard zone.

Financials: Operations are within budget. GM Management is making progress in improving the presentation of the VPHOA financials. Complicating factors have been change of site management and Union Bank selling their HOA banking function to Pacific Western Bank and that required a number of changes at VPHOA.

GM Management is working with Appfolio.com to improve operations performance through VPHOA homeowners creating a VPHOA account on the Appfolio.com web site. Regarding the Apofolio.com roll-out:

1. Homeowners were sent the letter in the USPS mail near the beginning of May 2022.
2. The letter sent by GM Management promoted creation of a homeowner Applolio.com account and a brand new way to make payments of monthly dues.
3. The letter caught homeowners by surprise. Statements made appeared to be contrary to common practice, logic and reason. For example setting up an account required multiple steps vs. standard practice of simply having the homeowner go to the web site and establish an account. The extra steps included homeowners being instructed to email to Appfolio.com a request to set up an account. Then the homeowner had to wait to be invited. After being invited the homeowner was to follow instruction in the email received to set up the account at the web site. As a practical matter, a typical cycle time would be expected to be approximately a week. This long cycle time would not work for many homeowners who had the payment method abruptly cancelled by either GM Management or Appfolio.com without warning.
4. Regarding the surprise cancellation of established payment methods, the letter appears to be in conflict with statutory law. For example, it is not clear that GM Management and/or Appfolio.com had standing to cancel the Union Bank/Pacific Western HOA payment methodology which by law the relationship with the bank is a HOA board responsibility. Notwithstanding suggestions to the contrary in the letter, Union Bank/Pacific Western HOA payment methodology continued until 5/13/2022 in that the bank send out notices to homeowners that payments would continue to be made as previously set up. But that changed on 5/13/2022 when notice was sent to homeowners that GM Management and/or Apofolio.com found a way to cancel the payments homeowners had arranged with Union Bank/Pacific Western HOA payment methodology two days prior to May payment deadline.
5. John Snee reports that he is swamped with telephone calls from homeowners asking for help relative to Apofolio.com transition.

Board Action On Delinquencies: Per Davis Stirling president Roger M announced in open session that that the board voted to approve recording the Notice of Default (NOD) for property GMVP5020C2 at the April 26, 2026 executive meeting.

Waste Management: Sent notice that adjustments on rates are required for a few homes and will be noted in next invoice.

VPHOA Website: Nine (9) letters to homeowners are being placed on the web page. They were sent in advance of Zoom meetings over last year starting February 2021 when GM Management became site manager.

High Priority Roof Initiatives: (issues, status update & related discussion with homeowners)

- a. Properly installed drip edge which many service providers generally cannot or will not provide
- b. Warranty Requirements & Related Real life cycle expectation vs. marketing hype, etc.
- c. Best business case - This analysis is not only for materials but also attendant installation, warranty, etc.
- d. Licensed Roofing Contractors Selection for Multi-Source Bid: A multi-source bid requires a SOW for apples to apples comparison of proposals and attendant costs
- e. Contract Statement of Work (SOW): A contract SOW is standard to be in alignment with contract statutory law. It reflects the meeting of minds between what the service provider will deliver for what the customer provides in consideration. Some roofing material manufacturers allege that a detailed SOW is not required if one of their certified contractors does the work - they allege that the work will be done right and all the customer has to do is pick out the color. However, this allegation is contradicted by facts found in a critical review on the internet. If a contractor, certified or not, installs the manufacture's or another manufacture's roofing material at variance of manufacturer's warranty requirements, then the manufacture walks away from the responsibility even if the deviation had nothing to do with the failure of the material.
- f. Simply hiring a deputy inspector does not ensure that roofing job will be done right. A written procedure is required and the inspector as well as the construction contractor must follow. This is because even if building codes require desirable roofing features, examination of industry practice clearly shows that these codes are inadequate to ensure that the resulting "as built" covering meets best business case requirements. For example, drip edges may be required to be installed; but, it is not required to purchase drip edge material that is adequate for the intended purpose nor does it ensure correct installation so that the vertical element is offset $\frac{1}{2}$ to $\frac{3}{4}$ inch away from fascia to keep rain water from flowing on and damaging fascia.
- g. Regarding the fact that roofing professionals will not or cannot install drip edges correctly, the board is considering a "demonstration" example for the candidate roofing service provider on the bid list. Two approaches have been considered:
 - i. Jacek, Matt and Roger M explored the possibility of installing correct drip edge on clubhouses that were re-roofed in 2012. It was determined that the risks were reward was too great. The good news was that the shingles were found to project out from the

existing drip edge by ~1/2 inch which help in diverting rain water run off away from the fascia.

- ii. The handyman team may create a mockup roof that demonstrates the steps that must be followed as well as the correct install of drip edge.

HANDYMAN TEAM REPORT BY MATT:

1. Pools open two weeks ago.
2. Water may have to be shut off at selected buildings due to TBD problems being reported.
3. Roger P mentioned that re-plastering the pool Campus Park pool is due because the plaster is granulating and sloughing off.
4. Email exchanges on Water Reduction Mandate as of June 1, 2022

APPROVAL OF MINUTES

April 26, 2022 open session minutes approved. Roger M motion; Roger P 2nd; all ayes.

HOMEOWNER'S COMMENTS

John Dyke:

1. Proposed that trip and fall at stairs in front of home 6505-F Penn St currently planned for phase 2 need to be addressed. Action Matt to review with homeowner 5/25/2022 and make adjustments as required.
2. Asked for information on applying to serve on board. Roger M summarized the procedure as follows:
 - a. Apply for board position similar to apply for job. Describe the apparent job requirements and the demonstrated capabilities and accomplishments of the applicant and to what extent the two overlap.
 - b. OK to use Homeowner Improvement Proposal to submit application. The HIP form guides the applicant to explain how the proposed will be of benefit to the VPHOA.

(MO) Mohsen Molaei Sakineh Alizadeh:

1. See John Snee for pool key and rental of clubhouse
2. Board meetings on 4th Tuesday of month except November/December. Because of the two holidays, only one meeting is usually scheduled first week of December.

(Bea) Beatrice Scalise: Homeowner washing car is waste of water. Points made in following discussion:

1. Absent VPHOA rule or Moorpark City code being violated then VPHOA does not have grounds to take action. This may change with the water shortage.
2. John Dyke mentioned that he is aware of code that hose used to wash car must have auto shut-off to make is OK to wash a car.

Board Vacancy – Two Vacancies on Board

Adjournment of Regular Session Meeting: 7:12 P. M.

Minutes taken and transcribed by Roger M president of VPHOA

Varsity Park Homeowners Association
Board of Directors Open Meeting
April 26, 2022
Location: Campus Park Clubhouse

Board President Roger Mickish called the meeting to order at 6:00 P.M, Also present:
Matthew McNutt, Secretary, Treasurer
Roger Proulx, Vice President
John Snee, GM Management
Homeowners:

Kelly Carney, 15136-C Varsity St
Christine Frankiewicz; 6462-B Marquette St
Laura Monteverde, 6440-D Marquette St.
Beatrice Scalise; 6508-B Penn St

John Snee announced that the 9 pre Board Meeting letters are being placed on the web site for reference.

**John Snee presented the following site status update report:
Monthly Board Meetings to Return to Standard Procedure:**

- Where: Campus Park Clubhouse
- When: Fourth Tuesday of the month at 6PM
- Information Letters Sent to Homeowners In Advance of Board Meeting:
Discontinued

(Note copies of the 9 information letter sent since GM Management took over are being placed on the VPHOA web page)

Architectural Requests: (No change from last letter)

1. For anyone planning to change an exterior feature, please timely submit an Architectural Request for replacement. The Architectural Request Form and Rules may be downloaded from the VPHOA web site. See:
<http://varsityparksouth.com/forms.php>
2. In some cases letters have been sent to alert homeowners indicating a required corrective action for a condition that may have existed for some time. When CC&R conforming documentation of a homeowner improvement is missing from the files homeowners will be required to submit an after-the-fact Architectural Request for documentation and formal board approval. Please contract me if there are any issues you wish to discuss.

HOA PROCESS OF ISSUING FINES IS BASED ON STATUTORY LAW GUIDELINES OF GOOD FAITH AND FAIR DEALING "DISPUTE RESOLUTION" (update)

VPHOA “dispute resolution” procedures are in alignment with settled contract law that provides guidelines for “dispute resolution” and/or interpretation of contracts so that issues that come up may be worked out by the parties to a contract based on good faith and fair dealing and not having to hire lawyers, go to court, etc.

The first step in the procedure involves one of the parties clearly stating a cause of action (i.e. alleged “breach of contract”) supported by facts. The alleged breaching party is given an opportunity to show cause that the alleged contract breach has not occurred or propose a plan to cure the alleged breach.

The VPHOA procedure follows Davis Stirling law guidelines for routine HOA violation letter/warning letter related to compliance relative to contract stipulated items. A USPS first class envelop is generally mailed except in selected situations that VPHOA leadership has determined a need to create a documentation trail.

Flagrant violation of the law is also a breach of contract. It is unlikely that an acceptable excuse will be available to trump the rule “ignorance is no excuse” of statutory law. Thus, prior warnings will generally not be issued for flagrant violations of law. In such cases a fine will most likely be immediately issued per the VPHOA fine schedule. Examples are “dumping” and failing to pick up dog poo.

For violation letters involving a fine the VPHOA procedure follows settled (corporation and contract) law dispute resolution procedures summarized as follows:

1. A formal notification (a HOA Violation Letter indicating cause of action and attendant fine or other special factor) is sent to the alleged breaching party. The alleged breaching party homeowner is also notified:
 - a. That they have ten days to respond to show cause that the allegation is incorrect, propose a plan for corrective action, or otherwise take steps to avoid the fine or other special factor.
 - b. That he/she has the opportunity to both respond in writing and/or attend the executive session meeting to participate in the dispute resolution discussion.
 - c. Of the time and place the VPHOA board will meet in executive session to review the facts and discuss with alleged violation with the homeowner and make a decision on the alleged breach of contract
 - d. He/she is encouraged to timely provide factual relevant information to the board in advance of the meeting to support the board making a fair and reasonable decision.
 - e. That the site manager takes the lead in gathering the related well-founded facts from all stakeholders and timely provide to the board in advance of the meeting.
 - f. That the HOA board follows statutory law guidelines and carries out an objective critical review of the facts and makes an informed decision as to the cause of action and attendant fine.
 - g. That although the dispute resolution procedure is designed to be accomplished without lawyers, the homeowner may bring his/her council to the meeting.
2. During the executive session of the board meeting the facts underlying the alleged breach will be objectively discussed in the presence of the alleged breaching party if he/she elects to attend. Again, per settled corporation and contract law, dispute

resolution by definition is between parties of a contract requiring a disciplined legal procedure but it is not a formal judicial activity. Notwithstanding, by rigorously following the statutory law guidelines the subsequent findings are based on objective analysis of contract terms and conditions & supporting documents, relevant specific performance of the parties to the contract and settled law guidelines including interpretation of contracts.

3. The board normally makes a decision on the breach of contract issue at the board meeting designated in the violation (alleged breach and fine) letter sent to the homeowner. The site manager is subsequently tasked to timely formally notify the homeowner of the board decision. Absent the board receiving well-founded new information that may result in different finding, the issue is closed.

High Priority Tree Initiative

1. **Phase I Wrong Tree in Wrong Place:** Done – Remove 48 trees, Aggressively trim 258 trees
2. **Tree Replacement in Progress:** (No change from last letter) (**VPHOA considers this the lowest priority initiative**)
 - a. VPHOA is reviewing Moorpark City experience with trees VPHOA has identified as replacements from the Moorpark City approved tree list.
 - b. The replacement trees will be planted in compliance with Ventura County Fire Code. Consequently the rule is that planting a tree in the same locations from which one was just removed is not an option.
 - c. Moorpark City has tentatively approved the planned locations of the 44 trees removed. The four additional trees removed will be added and the tree replanting location plan will be resubmitted to Moorpark City for final approval prior to planting.
 - d. The contract bid and award cycle to plant the trees will be timely carried out once Moorpark City provides final approval for VPHOA plan for trees selected for replacement and their location.

High Priority Roof Initiatives: (No significant change from last letter)

2. December 2021 Heavy Rains: Contract timely repair of leaks reported by homeowners – ongoing delayed because of supply chain issues with delivery of roofing materials.
3. Site reroofing becomes VPHOA highest Priority Major Project. Roofing Requirements: Class A Shingles and drip edge are mandatory.
4. A new roof statement of work, requirements document and multisource bid package will be pulled together by the board as soon as possible. The board will also undertake a due diligence critical review of service providers to identify only candidates most likely to submit conforming proposals for the reroofing bid and award cycle. Specific requirements include:
 - a. Properly installed drip edge which many service providers generally cannot or will not provide
 - b. Warranty, Warranty Requirements & Related Real life cycle expectation vs. marketing hype, etc.
 - c. Best business case - This analysis is not only for materials but also attendant installation, warranty, etc.

- d. Licensed Roofing Contractors Selection for Multi-Source Bid: A multi-source bid requires an SOW for apples to apples comparison of proposals and attendant costs
- e. Contract Statement of Work (SOW): A contract SOW is standard to be in alignment with contract statutory law. It reflects the meeting of minds between what the service provider will deliver for what the customer provides in consideration. Some roofing material manufacturers allege that a detailed SOW is not required if one of their certified contractors does the work - they allege that the work will be done right and all the customer has to do is pick out the color.

High Priority Landscaping Initiatives: (No significant change from last letter). Site Manager John Snee will be making a site report and is also working with the landscape contractor and leading the effort to address the interdependent issues including but not limited to:

1. Irrigation system
2. Plants consistent with original approved landscape plan
3. Conditions and/or changed circumstances such as plants in sun, under tree that undermines conditions for growth, etc. or not,
4. Impact of more recent state of California codes including: landscaping, water, environmental and fire.

High Priority Hardscape 2022: No Significant Change. Work In progress for

1. Sidewalk trip and falls
2. Repair of locations trees removed,
3. Repair and maintenance of site storm water drain system, etc.

Board Vacancy – Two Vacancies on Board

Minutes

No minutes to be approved during open session because the previous month's meeting was executive session, only, and those March 22, 2022 executive session minutes will be approved during the executive session of this meeting.

Management Report

John Snee presented the Manager's Report: Matt and John Snee met on April 21, 2022 with Chris Madrigal of CTR Landscape to review the landscape/hardscape. Items reviewed included bare planters / grass areas where trees were removed, debris cleared out, areas under window seats cleared, sprinkler repairs, trip and fall items.

Financial

John Snee presented the Financial Report and announced that income and expenses were in alignment with plan.

Homeowner's Comments

Kelly Carney:

1. Locations of replacement trees – None of the 48 trees will be planted close to hers or any of the homes in alignment with new fire code.
2. Landscaping Improvements Status – John Snee reported stepwise improvements being made. VPHOA and CTR job walked 4/21/22 to identify additional tasks to improve. CTR proposals are in the works and not available to discuss at this board meeting.
3. Red Curbs Need Painting – Yes, board consensus also; but, VPHOA must prioritize. Handyman team has plate full. Matt is taking lead looking into that plan and other options.
4. Homeowners Parking In Red Zone – Matt summarized procedure to telephone sheriff office. Matt indicated that he coordinated with the office frequently and that they are very supportive relative to ticketing vehicles improperly parked in red zones.

Christine Frankiewicz:

Christine mentioned a number of times that all homeowners should be treated equally. During the Homeowner comment discussion when the following specifics were brought up, the VPHOA Board and John Snee took the time to explain how equal treatment of homeowners was a main factor in dealing with them:

1. **Request landscaping for their home:** Answer, Will accommodate if something is way out of line. Otherwise site management will not give preferential treatment to specific homes. .
2. **Point out a specific problem for VPHOA Board and site manager to follow up with a violation letter or other corrective action:**
 - a. Answer 1, VPHOA does not get involved with neighbor to neighbor disputes. However, if a homeowner is causing problems and three or more others make similar statements in writing, then VPHOA will support to the extent possible once the signed conforming HIP is submitted.
 - b. Answer 2, Infrastructure problems that have developed over the prior 40 years are being addressed strategically by VPHOA board and site management and in alignment with settled corporation law and VPHOA documents of incorporation. In alignment with good business practice VPHOA board and site management have developed a strategic business plan to focus resources on high priority tasks such as re-roofing and avoids sinking resources into less urgent initiatives such as bringing all the fences in alignment with the rules. This is because the foreseeable disruption would cause progress on re-roofing to come to an abrupt halt.

Christine's actions and words seemed to suggest that hiring licensed contractors to do work required at VPHOA should be easy. John Snee and the VPHOA board reminded Christine that:

3. VPHOA operational burdens are greater than most HOAs and require more capable contractors. This is due to the fact that VPHOA is a PUD and includes road care and that historically there were shortfalls in original construction and

- subsequent shortcomings in 40 years of repair and maintenance.
4. The reward system for contractors that do work for HOAs makes personal financial gain objectives high priority vs. the performance they deliver
 5. A high percentage of high performing contractors refuse to work for HOAs; because, they find it is not possible to gain high customer satisfaction from an HOA site manager or board.
 6. Please read the 9 nine letters to homeowners and notes of the VPHOA Board Zoom Meetings notes 2021-22 for related discussions including but not limited to the following:
 - a. Original Developer of VPHOA took shortcut that has historically required and still requires major VPHOA board and site manager corrective action which led to hire of handymen since third party contractors gave too little value for dollars paid:
 - i. Developer/original construction incorrect fencing around pools fixed in 2019
 - ii. Landscape plan was approved with very large wrong trees in wrong place.
 - iii. It took years to gain permit in 2020 to remove 44 trees of 117 tree removals requested. Moorpark City and VCFD pushed back on removing trees to bring landscape plan into alignment with fire code. VPHOA will have to do it again.
 - i. It took years for VPHOA to find Your Way Tree Service in San Fernando Valley who accomplished aggressively trimming trees as required to address life/property safety issues.
 - ii. Developer/original construction installed low quality shingles – re-roofing was required in 1996, 16 years after the site was originally built.
 - iii. Developer/original construction drip edge not correctly installed which has resulted in major fascia damage - rain water running down and soaking building fascia for the prior 40 years causing high repair maintenance.
 - iv. 1996 re-roofing contractor not only did not install adequate drip edge to prevent rain water from damaging fascia; but, also shingles installed were average.
 - v. A major cause of delay in issuing a re-roofing contract is as follows. It is well known that roofing contractors cannot or will not install drip edge that prevents rain water from running down and damaging fascia. VPHOA existing licensed roofing service provider has been pushing back hard suggesting that he will not sign a contract to install the required conforming drip edge (integral task in installing new shingles). VPHOA has been and will continue to contract a capable roof service provider that will accomplish the job as required.
 - vi. Pool water recirculation system required major repair in 2019 – a number of problems brought about by performance shortcomings of prior pool service providers.

- b. Prior Site Managers & Boards exploited by typical contractors:
 - i. Paint contractors used poor quality and/or watered down paints.
 - ii. Asphalt contractors push easy-to-do resurfacing that failed within months. It was eventually determined they did not have the capability to remove, properly contour and replace asphalt correctly.

Laura Monteverde:

Addressed the board/management with similar comments/questions/etc. as above. Consequently, please find the answers to the more general questions, comments, etc. for both people in the Christine paragraphs above.

Other questions/comments unique to Laura:

Laura made comments that her application she submitted in 2021 offering to be a board member was declined. The board informed her that comments like that are not discussed in open session. And in closed session it must be on the agenda – arranged through John Snee. Notwithstanding, Laura subsequently interjected comments forcing some related discussion in the open meeting as follows:

1. The request of a one-on-one tour with John Snee: Laura emphasized that she had previously proposed that she job walk the site with John Snee and point out things for VPHOA Board to accomplish immediately. Roger M and then John Snee both pointed out that the procedure she is espousing is more consistent with a committee assignment. Committees form to identify task opportunities and then build the business case to support. This includes timing, how they are done and business case financial or otherwise and then they submit that to the board for approval. Laura responded that she wants to be on the board without addressing what had just been explained to her. The board and management stressed the roles and responsibilities of the board. All board members and John Snee found themselves repeating
 - a. John Snee cannot be available to support all homeowners on personal job walks.
 - b. The methodology she is describing to identify tasks to be accomplished is in alignment with committee work.
2. Paraphrased statement “I could have nominated myself at the annual meeting which was not held”: Answer – VPHOA followed procedure. No quorum, no annual meeting.
3. Paraphrased statement “Regarding being appointed to the board, I feel that I was discriminated against” – Answer
 - a. Regarding verbal proposal that Ms. Monteverde would like to fill the role of pointing out “good ideas” for the HOA to accomplish, John Snee and board members at this meeting reported that the place for this role is in a committee.
 - b. Regarding discussing a prior application to be on the board, Roger M:
 - i. Repeated that is not a subject of discussion in an open meeting.

- ii. Persons who fail to meet a goal generally have an opportunity to go back and see “what they must do” to change and meet the requirements. For example, there have been email communications back and forth between Ms. Monteverde, the board indirectly and John Snee. The board / management suggested she review the feedback and subsequently modify and resubmit the application.

Adjournment of Regular Session Meeting: 7:13 P. M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
February 22, 2022
Remote Meeting due to COVID-19

Board President Roger Mickish called the meeting to order at 6:08 P.M. Also present:
Matthew McNutt, Secretary, Treasurer
Roger Proulx, Vice President
John Snee, GM Management
Trey Riley, Homeowner

Homeowner’s Comments

Trey Riley addressed the board during executive session.

Minutes

No minutes to be approved during open session because the previous month’s meeting was executive session, only, and those minutes will be approved during the executive session of this February, 2022 meeting.

Management

John Snee presented the Manager’s Report:

General Information:

Architectural Requests: (No Change from last letter)

3. For anyone planning to change an exterior feature, please timely submit an Architectural Request for replacement. The Architectural Request Form and Rules may be downloaded from the VPHOA web site. See: <http://varsityparksouth.com/forms.php>
4. In some cases letters have been sent to alert homeowners indicating a required corrective action for a condition that may have existed for some time. When CC&R conforming documentation of a homeowner improvement is missing from the files homeowners will be required to submit an after-the-fact Architectural Request for documentation and formal board approval. Please contact me if there are any issues you wish to discuss.

Homeowner Improvement Proposals (HIP): (Updated)

Use HIP Form for Special Help Requests - Requests requiring information known only to the homeowner or beyond John Snee delegation of authority, homeowners must submit a Homeowner Improvement Proposal (HIP) – Examples

- a. Homeowner's suspected roof leak – Information only the homeowner knows
- b. Alert VPHOA of need for repair of sidewalk, fence, etc. – describe problem and location.
- c. Propose Changes to VPHOA Common Area such as a landscaping issue.

Note: VPHOA's position is that that landscape shortcomings are being addressed holistically/collectively/site-wide and not unit by unit as dictated by individual owners or otherwise absent correction if an intolerable situation is shown to exist. Also, support proposals with a justification and/or business case. Information presented must be adequate for the board to make an informed decision as to benefits vs. cost and well-founded rational as to why all homeowners should finance.

VPHOA Fine Schedule:

Taken from the July 1, 2021 letter to VPHOA homeowners, the following is a list of the fine schedule for violation of the Association's Use, Maintenance or Architectural Design Restrictions:

Violation to the general rules:

1. First violation - written notice
2. Second violation - \$50.00 fine
3. Third Violation - \$250.00 fine
4. Fourth Violation - \$500.00 fine
5. Continued violation - \$100.00 per week

Automatic Fines per Occurrence:

1. Failure to pick up dog waste and/or dog off leash: Automatic \$100.00 per occurrence
2. Illegal dumping of large items or hazardous waste (This includes Moving Pods): Automatic \$250.00 plus removal costs
3. Disturbances and/or dangerous activity (This includes violation of rules at rented Clubhouses): Automatic \$250.00 per occurrence

VPHOA IS A HOA CORPORATION

Corporation law has evolved from feudal law where the landholder is responsible for all happenings under his/her jurisdiction. This is still the rule in corporation law where the VPHOA Board has the role of landholder. The board contracts a site manager to carry out day to day operations efficiently and effectively in alignment with the contract and law. The VPHOA

homeowners are to abide by all laws, not only HOA contract terms and conditions but also statutory law in general.

The VPHOA contract with homeowners is written with terms and conditions focusing on issues unique to the contract. If something comes up that is not specifically stated in the contract or something is stated in the contract is not in alignment with statutory law, then the parties are obliged to take action to stay in alignment and/or regain alignment with statutory law. Consider for example:

1. A car dealer must correct for a “lemon” even if the contract of sale is silent on the subject.
2. VPHOA management must comply with laws and directives that flow down from government (sometimes overrules conflicting written statements [or silence] in the HOA articles of incorporation)
 - a. TV-Antenna: CC&Rs may state that a homeowner may not install TV antenna. California statutory law presently states otherwise and the current statutory law prevails.
 - b. COVID-19: If face to face meetings are held, HOA management must carry out policing activities currently demanded by state or local jurisdiction.
 - c. Wanton and/or Reckless Disregard for the Law: Again, statutory law provides HOAs with a primary tool of issuing fines to support enforcement and/or bring about corrective action

HOA’S PRIMARY TOOL OF ENFORCEMENT IS ISSUING FINES

Statutory law provides HOAs with a primary tool of issuing fines to support enforcement and/or bring about corrective action to keep all contract parties and other stakeholders in alignment with both HOA contract (terms and conditions unique to the contract) and statutory law in general.

HOA PROCESS OF ISSUING FINES IS BASED ON STATUTORY LAW GUIDELINES OF GOOD FAITH AND FAIR DEALING “DISPUTE RESOLUTION”

Settled contract law provides guidelines for “dispute resolution” and/or interpretation of contracts so that issues that come up may be worked out by the parties to a contract based on good faith and fair dealing and not having to hire lawyers, go to court, etc. Rules of law are clearly laid out. The procedure involves a clearly stated cause of action breach of contract supported by facts and providing the alleged breaching party an opportunity to show cause that the alleged breach has not occurred, etc.

MOST VPHOA LETTERS SENT TO HOMEOWNERS ARE WARNING LETTERS.

Most VPHOA letters sent to homeowners are warning letters. Homeowners are notified that they appear to be in violation of a VPHOA requirement (CC&R, Rule, etc.) and the homeowners are advised how they may take timely corrective action to avoid fines.

When the cause of action involves automatic fine or second or greater violation fine, then the following steps in the dispute resolution procedure are carried out:

1. A formal notification (a HOA Violation Letter indicating a fine) is sent to the alleged breaching party of the cause of action. The alleged breaching party has ten days to respond to show cause that the allegation is incorrect, propose a plan for corrective action, or otherwise take steps to avoid the fine.

2. The HOA board carries out an objective critical review of the facts and makes an informed decision as to the cause of action and attendant fine. The alleged breaching parties are informed in the (VPHOA Violation Letter involving a fine) of the board meeting time and place that the issue is planned for board review and decision making in executive session. Furthermore the homeowner is informed in the letter that they may plead their case by mail or attend to plead their case in person or zoom as now is the rule. In any case alleged breaching party is encouraged to timely provide factual relevant information to the board in advance of the meeting to support the board making a fair and reasonable decision. The site manager takes the lead in gathering the related well-founded facts from all stakeholders and provide to the board in support of the meeting.
3. The final step of the “dispute resolution” based HOA fine procedure occurs when the site manager formally notifies the alleged breaching party of the board findings. At this point the issue is closed.

VPHOA ISSUES VIOLATION LETTER IMPOSING AN IMMEDIATE FINE OF \$250 FOR WANTON, WILLFUL DISREGARD FOR THE LAW

VPHOA issues violation letter imposing an immediate fine of \$250 for wanton, willful disregard for the law which may or may not be mentioned in the VPHOA articles of incorporation. See the category of Disturbances and/or Dangerous Activity in the schedule above. Examples of violations in this category include but are not limited to dumping and disruptive and/or dangerous behavior at clubhouses, intentional interference with the performance of a contractor, graffiti, harassment, etc.

1/19-20/2021 Wind Storm & Recovery – Complete, Final Payments Made To Contractor
15092-D Campus Park Dr., 15136-C Varsity St and 15049-D Varsity St

High Priority Tree Initiative

3. **Phase I Wrong Tree in Wrong Place:** First Step Done; 48 Removed & 258 Aggressively Trimmed. Only remaining action is Your Way Tree Company reimbursement for damaged site light fixture – action John Snee.
4. **Tree Replacement in Progress: (VPHOA considers this the lowest priority initiative)**
 - e. VPHOA is reviewing Moorpark City experience with trees VPHOA has identified as replacements from the Moorpark City approved tree list.
 - f. The replacement trees will be planted in compliance with Ventura County Fire Code. Consequently the rule is that planting a tree in the same locations from which one was just removed is not an option.
 - g. Moorpark City has tentatively approved the planned locations of the 44 trees removed. The four additional trees removed will be added and the tree replanting location plan will be resubmitted to Moorpark City for final approval prior to planting.
 - h. The contract bid and award cycle to plant the trees will be timely carried out once Moorpark City provides final approval for VPHOA plan for trees selected for replacement and their location.

High Priority Roof Initiatives:

5. Clean roofs and gutters - Done **end of November – first week December 2021**

6. December 2021 Heavy Rains: Contract timely repair of leaks reported by homeowners – ongoing.
7. Site reroofing becomes VPHOA highest Priority Major Project. Roofing Requirements, no change: Class A Shingles and drip edge are mandatory.
8. A new roof statement of work, requirements document and multisource bid package will be pulled together by the board as soon as possible. The board will also undertake a due diligence critical review of service providers to identify only candidates most likely to submit conforming proposals for the reroofing bid and award cycle. Specific requirements include:
 - a. Properly installed drip edge which many service providers generally cannot or will not provide
 - b. Warranty, Warranty Requirements & Related Real life cycle expectation vs. marketing hype, etc.
 - c. Best business case - This analysis is not only for materials but also attendant installation, warranty, etc.
 - d. Licensed Roofing Contractors Selection for Multi-Source Bid: A multi-source bid requires an SOW for apples to apples comparison of proposals and attendant costs
 - e. Contract Statement of Work (SOW): A contract SOW is standard to be in alignment with contract statutory law. It reflects the meeting of minds between what the service provider will deliver for what the customer provides in consideration. Some roofing material manufacturers allege that a detailed SOW is not required if one of their certified contractors does the work - they allege that the work will be done right and all the customer has to do is pick out the color.

High Priority Landscaping Initiatives: Site Manager John Snee is leading the effort to address the interdependent issues including but not limited to:

5. Irrigation system
6. Plants consistent with original approved landscape plan
7. Conditions and/or changed circumstances such as plants in sun, under tree that undermines conditions for growth, etc. or not,
8. Impact of more recent state of California codes including: landscaping, water, environmental and fire.

High Priority Hardscape 2022: Work In progress for

4. Sidewalk trip and falls
5. Repair of locations trees removed,
6. Repair and maintenance of site storm water drain system, etc.

Satellite Dish Policy: Please note that the Association has policies and procedures in place that govern the proper installation of satellite dishes. Please contact johnsnee@gmmanagement.com for the documents that must be completed/submitted prior to installation.

Board Vacancy – Two Vacancies on Board

Financial

John Snee presented the Financial Report.

Adjournment of Regular Session Meeting: 6:48 P.M.

Minutes taken and transcribed by John Snee of GM Management

Minutes
Varsity Park Homeowners Association
Board of Directors Meeting
December 7, 2021
Remote Meeting due to COVID-19

Board President Roger Mickish called the meeting to order at 6:06 P.M. Also present:
Roger Proulx, *Vice President*
Matthew McNutt, *Secretary, Treasurer*
John Snee, GM Management
Jill Madrid, 15076-B Varsity
Alice Gauna, 15137-C Varsity
Trey Riley, 6453-A Marquette

Site Status Update:

John Snee read from the 7th pre-board meeting letter to provide a complete and thorough site status update to the board and to the owners in attendance. (This letter is attached to these minutes, below.)

John Snee also gave updates as follows:

- Next board meeting executive 1/25/2022
- Next zoom board meeting 2/22/2022
- Ted and Carol Munselle VPHOA 2020-2021 Financial Audit In work.
- Tree remove and aggressive trimming 1st phase completed.
- Next projects / ongoing tasks are clean, repair roofs, hardscaping, then Replace Roofs and then landscaping – driven by correction of irrigation system.
- After the fact Architectural Requests may be required

Financial

1. Roger Mickish moved to record a notice of delinquent assessment lien against the following 9 homeowners and to conditionally turn these owners over to Alterra Collections, provided Alterra clear up what appears to be errors in processing payments VPHOA has made to them and related communication regarding homeowners previously turned over. Matt seconded and the motion carried.
 1. GMVP6409B3
 2. GMVP5050A5
 3. GMVP5151D6
 4. GMVP6508D3
 5. GMVP5076C4
 6. GMVP6453E5
 7. GMVP5112A2
 8. GMVP5160C6
 9. GMVP5008B4
2. Roger Mickish and John Snee summary comments that working out glitches on presentation format but bottom line is that the operations financials are good, VPHOA healthy all OK. John also reported that Union Bank sold HOA services division to Pacific Western.

Site Related Strategic Planning & Handyman Report

Matt updated the homeowners on the work being done by the handyman team including damage done to infrastructure during tree removal:

1. Balcony Rails Done
2. Light Poles done
3. T111 and Fascia working down the priority list
4. Hardscape work next – have developed list and goal is to have finalized by next board meeting

Homeowner Comments

There were no homeowner comments.

Minutes

Roger Mickish made a motion to approve the minutes of the October 27, 2021 meeting. Matt seconded and the motion carried.

Contents of December 2, 2021 Pre- Meeting Letter:

Subject: VPHOA Annual Holiday Board Meeting 12/7/2021 and Site Status/Other Information

Dear Varsity Park HOA Members:

This letter of information is the 7th sent to homeowners since February 2021 when GM Management became site manager.

Upcoming Meetings begin at 6PM:

- I. **12/07/2021 VPHOA Annual Board Holiday Meeting:** The open session board meeting will be held via zoom. The November/December board meetings that conflict with the holidays are combined into one at the beginning of December.
- II. **Zoom Board meetings:** Zoom meetings will continue to be held every other month until all restrictions on masks are lifted and Board and GM Management mask policing activity currently required by the state is eliminated.
- III. **1/25/2022 VPHOA Board Meeting will be executive meeting only:** It is assumed that COVID-19 restrictions will still be in force.
- IV. **2/22/2022 VPHOA Board Meeting will be next meeting with a zoom open session.**
- V. **Open Session Meetings Zoom Links:** The day prior to and the day of the meetings contact John Snee Site Manager GM Management Inc., 805 526 0303; johnsnee@gmmanagement.com, between 9 AM – 5 PM to request a zoom link to be sent via email.

Site Operations Information, Status Update since Last Letter and Board Meeting 10/27/2021

Annual Homeowner Meeting October 28, 2021 was Not Held: The quorum required for the Annual Homeowner Meeting to Commence was not achieved.

2nd Attempt to Hold Annual Meeting Will Not Be Made: GM Management did not receive required Homeowner written justification < 10 days from October 27, 2021 supporting a second attempt to hold an Annual Meeting.

Incumbent Candidates Roll Over To Another Term: Consequence of above.

10/28/2021 Regular Board Meeting: A regular board meeting was held because the annual homeowner meeting could not convene because only 41 of the 129 homeowner's quorum requirement was realized. Business addressed related to what was contained in the 6th letter to homeowners, continuing operations policies, procedures and planning and questions from homeowners. See below that note items discussed in board meeting for record and/or status/information on relevant issues.

General Information:

Architectural Requests:

5. For anyone planning to change an exterior feature, please timely submit an Architectural Request for replacement. The Architectural Request Form and Rules may be downloaded from the VPHOA web site. See: <http://varsityparksouth.com/forms.php>
6. In some cases letters have been sent to alert homeowners indicating a required corrective action for a condition that may have existed for some time. When CC&R conforming documentation of a homeowner improvement is missing from the files homeowners will be required to submit an after-the-fact Architectural Request for documentation and formal board approval. Please contact me if there are any issues you wish to discuss.

1/19-20/2021 Wind Storm & Recovery

- i. 15092-D Campus Park Dr. and 15136-C Varsity St Completed
- ii. 15049-D Varsity St Construction and Final Job Walks Completed as of 11/30/2021. Administrative task in work in final steps of completion.

High Priority Tree Initiative Phase 1 Tree Removal and Trimming Complete:

1. 8/26/21 – 9/4/21 Your Way Tree Company Removed 44 Trees at VPHOA Site That Moorpark City Approved of the 117 Trees Requested To Be Removed For Life/Property Safety Concerns.
2. 9/20/21 – 10/8/21 Your Way Tree Company Aggressively Trimmed 258 Trees and Removed 4 Trees (Per Arborist Recommendation and Approved By Moorpark City) at VPHOA site

High Priority Tree Initiative Phase 1 Tree Replacement in Progress:

1. Replacement tree planting planned to be completed spring 2022 absent major problems being encountered
2. VPHOA is reviewing Moorpark City experience with trees VPHOA has identified as replacements from the Moorpark City approved tree list.
3. The replacement trees will be planted in compliance with Ventura County Fire Code. Consequently the rule is that planting a tree in the same locations from which one was just removed is not an option.
4. Moorpark City has tentatively approved the planned locations of the 44 trees removed. The four additional trees removed will be added and the tree replanting location plan will be resubmitted to Moorpark City for final approval prior to planting.
5. The contract bid and award cycle to plant the trees will be timely carried out once Moorpark City provides final approval for VPHOA plan for trees selected for replacement and their location.

High Priority Tree Initiative (Phase 2-4) Reminder:

- b. Phase 2 Service Provider Contract For > 25' Trees follow up trimming and shaping to meet objectives of Phase 1 aggressive trimming/shaping.
- c. Phase 3: In approximately two years, when VCFD begins reviewing and approving plans bringing prior approved landscape plans into alignment with VCFD Fire Defense Space Code. At that time VPHOA will update the site survey and submit a request to remove additional tree as required.
- d. Phase 4: In the 2024 time frame multi-source bid > 25' tree long term maintenance contract.

High Priority Roof Initiatives – Now that the site tree problem has been addressed to the extent approved/supported by Moorpark City/VCFD:

9. A roofing service provider has been contracted to clean roofs and gutters and identify needed repairs due to normal wear and tear and/or a problem caused by falling tree debris due to natural causes or otherwise such as when trees were being removed and/or trimmed. Problems will be fixed to prevent leaks during rain season.
10. Site reroofing becomes VPHOA highest Priority Major Project
11. Roofing Requirements, no change: Class A Shingles and drip edge are expected to be mandatory.
12. A new roof statement of work, requirements document and multisource bid package will be pulled together by the board as soon as possible. The board will also undertake a due diligence critical review of service providers to identify only the best candidates for the reroofing bid and award cycle.
13. May 2022 after the rain season is over will be the earliest that reroofing work will occur at the site.

Landscaping Initiatives – The site tree problem has been addressed to the extent approved/supported by Moorpark City/VCFD. Consequently, some of the trees that were

the root cause of problems have been eliminated while others have been aggressively trimmed to help mitigate the problem.

Landscaping Projects Initiatives:

1. Hardscape “trip and fall” problems in sidewalks
2. Repair and replant ground areas disrupted by removing and aggressively trimming trees
3. Take corrective action on prior deferred maintenance or landscape corrective action that requires VPHOA Board project management.

Landscaping Continuous Improvement Initiatives (No significant change from 6th letter to homeowners):

1. John Snee and landscaper contractor CTR will be continuing their effort working together and with homeowners to improve homeowner satisfaction.
2. As a result of the tree removals and tree trimming, other site features may stand out to homeowners as glaringly obviously in need of attention. In this regard, homeowners/residents are reminded that they are not permitted to alter common area landscape without board approval and residents may not dump trash or other items in the common area.
3. The rule that John Snee, the VPHOA Board and John Snee will be following is in alignment with statutory law that the site is to be maintained to conform to the originally approved site landscape plan. In this regard, John Snee, the VPHOA Board and landscaper contractor CTR will be critically reviewing cases in which homeowners have made changes to in common areas around their unit that deviate from the originally approved site landscape plan. In spite of the fact the condition may have existed for some time it may require corrective action.

Site Parking Improvement Initiatives: Work continues on relocation of Mail Boxes into alleys.

Questions from Homeowners:

1. **No, VPHOA Board and GM Management Will Not Be Adopting “Well-Seasoned Homeowner” Methodologies As An Operations Model:** For example, it is OK for a single family homeowner to make personal subjective decision on what requires fixing and they are free to invest whatever resources to the task as well as define related priority and/or urgency. But, it is not supported by law that a homeowner in an HOA may present their agenda to the HOA board and management company and expect them to accommodate in a knee-jerk reaction. Instead, statutory law supports HOA board and management companies adopting a business model that is in compliance with the totality of statutory law, including financial fiduciary responsibility. Suffice it to say that the VPHOA Board and GM Management operate in alignment with corporation industry best business practices which includes strategic planning and proactive repair and maintenance (minimize costly reactive repair and maintenance). Please find major elements of the VPHOA strategic plan summarized for homeowners in VPHOA 2021 communications such as the July 1

letter and in this and the prior six letters to homeowners in advance of board meetings.

2. **Yes, VPHOA Homeowners Are Welcome To Make Contributions Through Submittal of a HIP or Serving On A Committee:** The VPHOA Board and GM Management welcome homeowners submitting homeowner improvement proposal (HIP) forms pointing out areas for improvement backed with a business case that supports the investment of resources for the benefits proposed. Regarding committees, they carry out the work required to provide information adequate for the board to make an informed decision on moving forward with a proposed action. Per California Law, the Civil Code Davis Stirling Act, the committees perform to a board approved specific scope of work, make recommendations and prepare reports that include, but are not limited to, proposed benefits, plan of action required to achieve the benefits, risks, business case adequate to support the recommendation.
3. Who is responsible for emptying the Dog "waste" stations? How often and on what days?
 - a. CTR, Weekly, Regular Schedule if Thursday
4. Who is responsible for inspecting the common areas? Inspecting light posts, electrical, cracked sidewalks, etc., for damages and safety issues?
 - a. Common Area Landscape – John Snee monthly
 - b. Common Area Light posts, electrical – Handyman Team lead by board member Matt McNutt
 - c. Common Area Hardscape – There is an annually CTR and Board job walk to identify cracked sidewalks, damaged drain covers, lifted sidewalks and other safety issues and which results in a corrective action contract that immediately follows. The effort has been delayed 2021 until this time frame immediately after the trees have been removed or trimmed so damage that may have been caused by tree removal and trimming may be immediately fixed with other hardscape issues that this year does not contain any urgent emergency must fix immediately issues.
5. Who is responsible for inspecting the sprinklers? Many areas are dying or dead due to no water.
 - a. CTR, Weekly. Yes, the irrigation system installed by the developer has yet to be fully reconfigured to work correctly. John Snee is taking the lead to develop a plan forward with CTR to make further progress to the extent possible as board focuses on higher priority projects.
6. Who is responsible for general grounds maintenance? Many plants and bushes are diseased, some new plants are falling over (their support stakes laying on the ground next to them), planters are overgrown with weeds, sidewalk cracks have weeds in them and the outside of many buildings have dead leaves, pine needles, dirt and other debris stuck to them.
 - a. Regarding general grounds maintenance: CTR, Weekly.
 - b. Regarding, "Many plants are dying.....": The answer is closely tied to the fact that the original developer designed and constructed the site seriously flawed in a number of ways. Prior board and management companies that have been over the heads to correct. The current VPHOA board with GM Management at the controls is making progress on issues you bring up. Please consider:

- i. The root cause of “have dead leaves, pine needles, dirt and other debris stuck to them” has been original landscape plan approved “Wrong Trees In Wrong Place”: In 2021 after 40 years VPHOA was able to make some progress on removing 48 wrong trees planted in the wrong place. VPHOA had to fight federal, state and local jurisdiction that make it extremely difficult to remove trees (VCFD and Moorpark City). In addition, tree service provider vested interests work together to push micro-trimming services only and campaign against aggressive trimming even in cases like VPHOA where it is a Life/Property Safety issue.
- ii. Irrigation System Design Did Not Do Good Job Watering and Wasted Water & Damaged Fences, Asphalt, etc.: The original irrigation system used nozzles that spread water 6’ diameter at all locations, including alley planters, caused waste of water and damage to VPHOA common area and homeowner property. In the meantime many homeowners took it on themselves to plant what they wanted in the planter in front of their units and in the alley and take care of them.
- iii. CTR becoming landscaper in 2006 time frame until now has focused on improving lawns and reducing damage caused by irrigation system overspray.
- iv. VPHOA anticipated that homeowners may want to know VPHOA’s answer to the question(s) above and proactively noted in the letter of information to homeowners dated 10/20/2021 and also stated in the paragraph above “Landscaping Continuous Improvement Initiatives”:

7. The last item on page 3 of the October 20, 2021 newsletter, regarding landscaping improvements - does this include the planter areas directly on the other side of our backyard fence? If so, please provide a list of approved plants as I am currently replanting my planter.

- a. Because of priorities and other factors it will take some time for the Board to critically review and write up a formal findings and recommendations report to be entered into the record on this question across the site. Problems with the original approved landscape plan include but are not limited to changed circumstances that require different design solution such as fire code, sun vs. shade with shade assumed to be negligible in the original designs, trees and their debris and attendant impact on surrounding soil, etc.
- b. In the meantime, the board has been supportive of homeowner’s choice of temporary plantings as long as the selections are not totally out of line and the homeowners maintain what they elect to plant.

8. What trees are on the approved list to replace the 48 trees that were removed?

- a. The trees VPHOA proposed to Moorpark City to plant that are both on the Moorpark City tree list and also of a size that complies with Ventura County Fire Code (VCFC):

- | | |
|------------------------------------|-----------------------|
| ▪ Pyrus calleryana 'Capital' | Capital Pear (CP) |
| ▪ Lagerstroemia indica | Crape Myrtle (CM) |
| ▪ Prunus cerasifera 'Atropurpurea' | Purple Leaf Plum (PP) |
| ▪ Arbutus unedo | Strawberry Tree (ST) |
| ▪ Cercis occidentalis | Western Redbud (R) |

The Crape Myrtle trees are to replace those that died on Campus Park Drive. Moorpark City provided feedback that is under evaluation. The trees Moorpark City suggested in their feedback are sometimes in conflict with Ventura County Fire Code. 9. The townhouse complexes next door and across Campus Drive are much, appear to be much better maintained. We should contact them to see which landscape/maintenance company they use.

- a. The VPHOA was built prior to the neighboring sites. Board members have critically reviewed the irrigation systems and other infrastructure of the neighboring sites and found that they are designed and built to avoid problems at VPHOA. For example alley planters are conspicuous by their absence. In the locations water is required and in alignment with state of California water conservation codes, the irrigation systems of neighbors are better designed to apply the right amount of water to specific plant areas. Again, the VPHOA developer installed pre water conservation irrigation system that sprayed/soaked everything at radius 6' with Rainbird heads. The board cannot say if our neighbor's irrigation system was the result of the original approved landscape design or a subsequent redesign. In the case of the VPHOA site, landscape maintenance contractors, who do not have irrigation engineering design capability, have made incremental improvements to cut the waste of water and related water damage. The VPHOA board has considers this issue a high priority and will probably reach the number 1 level after reroofing is successfully accomplished.
- b. Because of the shortcomings of the design of this site, if VPHOA site manager were to go into a reactive mode and simply hire another contractor who is known to do a good job maintaining another site(s) with irrigation system and other infrastructure adequate for the site to take care of itself, problems are certain to result which with in turn results in bigger operations problems than before.
- c. This is because landscape maintenance contractors rarely have front line workers with the engineering expertise that would enable the company to correct the irrigation system on their own. And because of greater priority of trees, roofing and other infrastructure issues the VPHOA Board has historically placed this issue lower in priority. No homeowner has stepped forward to form a committee to undertake the work required. Much of the work required is irrigation system technical redesign and construction.

Board Vacancy – Two Vacancies on Board

Adjournment of Regular Session Meeting: 6:41 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
October 27, 2021
Remote Meeting due to COVID-19

Board President Roger Mickish called the meeting to order at 6:11 P.M. Also present:
Roger Proulx, Vice President
Matthew McNutt, Secretary, Treasurer
John Snee, GM Management
Janet Kauffman, Inspector of Elections
Laura Monteverde, 6440-D Marquette
Beatrice Scalise, 6508-B Penn

ANNUAL HOMEOWNER MEETING – No Quorum:

The homeowners' annual meeting did not achieve quorum as announced by Janet Kaufman on Zoom at 6:11 PM. The total count of ballots was 47 when 129 is required. The VPHOA will not be attempting a second effort unless there is a show cause letter received in ten days from the day of the meeting.

Site Status Report

John Snee presented the following report:

1. 6th pre 10/27/2021 meeting information letter (see below for information summarized verbally)
2. Answers to questions that Laura Monteverde Monday, October 25, 2021 10:37 PM submitted to John Snee via email. See copy and pasted Roger M email below Tuesday, October 26, 2021 3:12 PM for information John Snee presented verbally.

Homeowners were allowed to provide feedback contemporaneously during the first half of to John Snee's presentation. However classic problems surfaced halfway through his presentation and homeowners were placed on mute. The homeowners were informed in the attached 6th letter of information that homeowner input must be in conformance with efficient and effective meeting procedure in alignment with statutory law.

OPEN MEETING FINANCIALS:

1. Roger Mickish moved to turn the following accounts over to Alterra and to record a lien against each account for non-payment of HOA assessments: GMVP5091B4, GMVP5188B2, GMVP6488C2. Matt seconded and the motion carried.
2. VPHOA Financial Status – No Major Problems Appear. Dealing with the 1/19/2021 wind storm recovery is a complication that is taking extra work; but, that is coming along OK.

OPERATIONS/PROJECTS:

1/19/2021 Wind Recovery: Only remaining item is 15049-D Varsity St. and that is scheduled to be complete 11/12/2021. All is going well.

Tree Project: Done except for repair items that were damaged such as area lights, sidewalks and balcony. Kudos to handyman team in support during the project (e.g. helping relocate vehicles in the way, and fixing things that were broke).

Venco Sweeping Alley and Street: There is now less tree debris and VPHOA will be working with Venco to keep the site clean.

Landscaping: There is now less tree debris, less shade areas, etc. and VPHOA will be working with CTR to improve the appearance of the site. John Snee worked with Chris to develop a layout of the site placing alley planters in three categories:

1. Ready for planting
2. Ready for planting after fence repair
3. Homeowner takes care of planter.

Matt and Roger M noted at different times during the meeting that a deeper level of strategic planning is required in multiple areas.

1. The plan forward with landscaping requires strategic planning and project management by the VPHOA. Notwithstanding Davis Stirling and HOA vested interests proclamations and chest beating to the contrary, leaving operations to licensed contractors does not work. VPHOA landscape examples regarding CTR including but not limited to follow:
 - a. Manage cradle to grave tree removal and aggressive tree trimming corrective action project. The work required was not only well beyond what was available in the market place, it was fought by vested interested both government and non-government. CTR said one thing and did another for many years. When we wrote a SOW and said he would not be paid unless the work was done per the SOW, he no bid.
 - b. Personally job walks every hardscape contract with CTR and track progress. Again, saying one thing and doing another resulted in SOWs being written and post work checks where shortcomings were always found and had to be corrected.
 - c. Regarding CTR's planter landscaping, it has been demonstrated repeatedly that their operations model is to treat all work involving planters as an opportunity for additional sales.
 - i. On purpose or otherwise CTR lets originally approved plants in planters become an eyesore.
 - ii. Thus a category that must be on any survey is one that identifies existing planters not being properly maintained. Getting these planters back into shape would likely be this number one priority, not remodel of the planter in conformance with what CTR has historically proposed.
 - iii. Another category that must be on any survey is correct conforming performance of the irrigation system in each and every planter across the site. To be conforming the irrigation system must be installed consistent with best irrigation practices and the hardware and mythology consistent with best business and legal practices. This typically means favoring drought tolerant plants, standardization of irrigation system material, policies and procedures and strategic planning to make a robust irrigation system that operates itself and is low cost to maintain. The

current VPHOA irrigation system and CTR invoices have been critically reviewed and it has been found that the irrigation system is a hodge-podge of parts requiring extraordinarily high maintenance costs that CTR benefits from. Based on prior experience, CTR actions tend to lean away from helping VPHOA make changes to shift to a more efficient and effective irrigation and planter system. Instead, CTR ignores VPHOA requirement to make improvements by knee-jerk repairing and expanding of the existing hodge-podge system and seek to add plants inconsistent with originally approved site plan and hamper progress toward planting drought tolerant plants if there is a change required.

2. The VPHOA will continue to be in compliance with the intent of the original landscape plan but it behoove that strategic planning be carried out to address shortcomings of the approved landscape plan if any:
 - a. VCFD defense area code compliance
 - b. Drought tolerant plants.
 - c. Sunlight or shade plants strategically planned and related amounts of water required
 - d. Controller and adequacy to support the differential watering required to meet water conservation goals and objectives.
 - e. Site curb appeal
 - f. Drip water system vs. spray
 - g. Life cycle of existing irrigation system
 - h. Understand why repair and maintenance of existing irrigation system is insanely high.
 - i. Irrigation system over spray on asphalt, trees, etc.

Hardscape: VPHOA will be timely moving forward on hardscaping effort. Shoot for Dec. 7, 2021 Meeting Board Approval of A Proposal to Be Submitted by CTR.

Clean Roof and Gutters: VPHOA will be timely moving forward on cleaning roofs and gutters. (Approval of contract planned for executive session)

360° Photos: Matt reported that timely progress being made. Matt appreciates the fact that it is important to have comparison of trees immediately prior to tree removal and trimming and immediately after. If we wait too much longer the before and after comparison will be less helpful because leaves will be gone due to changing seasons.

Matt expressed appreciation for the handyman team supporting the recent tree work done by Your Way Tree Service. The balcony reconstruction/refurbishment project has been ongoing and is coming to a close. The light poles, junction box covers, any safety hazards have been addressed. Pool maintenance and wood repair are the major projects.

Below are the written contents of the email that John Snee sent to Laura Monteverde on October 26, 2021 3:12 PM in reply to her email of Monday, October 25, 2021 10:37 PM which John Snee presented verbally during the open meeting:

1. What are Jared's job duties?
 - a. Handyman, pool services and routine site survey for problems

2. Who is responsible for emptying the Dog "waste" stations? How often and on what days?
 - b. CTR, Weekly, Regular Schedule if Thursday

3. Who is responsible for inspecting the common areas? Inspecting light posts, electrical, cracked sidewalks, etc., for damages and safety issues?
 - a. From the posted VPHOA Board Meeting Agenda "Landscape, Sweeping, Trash Pick Up (No Active Homeowner Lead, TBD Board Sponsor)" – Board members keep each other informed of how things are going via email on a contemporaneous basis. The Handyman Team lead by board member Matt McNutt also keeps a close eye on safety issues, damage that may be caused by problems in the irrigation system, fallen trees or limbs, improperly parked vehicles, homeowners undertaking an action that is contrary to statutory law and/or VPHOA documents of incorporation, etc.
 - b. Common Area Landscape – John Snee monthly
 - c. Common Area Light posts, electrical – Handyman Team lead by board member Matt McNutt
 - d. Common Area Hardscape – There is an annually CTR and Board job walk to identify cracked sidewalks, damaged drain covers, lifted sidewalks and other safety issues and which results in a corrective action contract that immediately follows. The effort has been delayed 2021 until this time frame immediately after the trees have been removed or trimmed so damage that may have been caused by tree removal and trimming may be immediately fixed with other hardscape issues that this year does not contain any urgent emergency must fix immediately issues.

4. Who is responsible for inspecting the sprinklers? Many areas are dying or dead due to no water.
 - a. CTR, Weekly. Yes, the irrigation system installed by the developer has yet to be fully reconfigured to work correctly. John Snee is taking the lead to develop a plan forward with CTR to make further progress.

5. Who is responsible for general grounds maintenance? Many plants and bushes are diseased, some new plants are falling over (their support stakes laying on the ground next to them), planters are overgrown with weeds, sidewalk cracks have weeds in them and the outside of many buildings have dead leaves, pine needles, dirt and other debris stuck to them.
 - a. Regarding general grounds maintenance: CTR, Weekly.
 - b. Regarding, "Many plants are dying.....": The answer is closely tied to 3a and 4a. The original developer designed and constructed the site seriously flawed in a number of ways that have been over the heads of prior boards and management companies to correct. The VPHOA with GM Management at the controls is finally making progress on correcting:
 - i. The root cause of "have dead leaves, pine needles, dirt and other debris stuck to them" has been original landscape plan approved "Wrong Trees In Wrong Place": In 2021 after 40 years VPHOA was able to make some progress on

removing 48 wrong trees planted in the wrong place. VPHOA had to fight federal, state and local jurisdiction that make it extremely difficult to remove trees (VCFD and Moorpark City). In addition, tree service provider vested interests work together to provide micro-trimming services only and campaign against aggressive trimming even in cases like VPHOA where it is a Life/Property Safety issue.

- ii. Irrigation System Design Did Not Do Good Job Watering and Wasted Water & Damaged Fences, Asphalt, etc. : The original irrigation used nozzles that spread water at 6' diameter at all location, including alley planters, causing waste of water and damage to VPHOA common area and homeowner property. In addition many homeowners took it on themselves to plant what they wanted in the the planters in front of their units and in the alley planter and take care of them.
- iii. CTR becoming landscaper in 2006 time frame until now has focused on improving lawns and reducing damage caused by overspray. Again, many homeowners took it on themselves to plant what they wanted in the the planters in front of their units and in the alley planter.
- iv. VPHOA anticipated that homeowners may want to know VPHOA's answer to the question(s) above and proactively noted in the letter of information to homeowners dated 10/20/2021:
Landscaping Improvements - The site tree problem has been addressed to the extent approved/supported by Moorpark City/VCFD. Consequently, some of the trees that were the root cause of problems have been eliminated. In other cases trees have been aggressively trimmed to help mitigate the root problem:
 - 1. John Snee and landscaper contractor CTR will be continuing their effort working together and with homeowners to improve homeowner satisfaction.
 - 2. As a result of the tree removals and tree trimming, other site features may stand out to homeowners as glaringly obviously in need in need of attention. In this regard, homeowners/residents are reminded that they are not permitted to alter common area landscape without board approval and residents may not dump trash or other items in the common area.
 - 3. The rule that John Snee, the VPHOA Board and John Snee will be following is in alignment with statutory law that the site is to be maintained to conform to the originally approved site landscape plan. In this regard, John Snee, the VPHOA Board and landscaper contractor CTR will be critically reviewing cases in which homeowners have made changes to in common areas around their unit that deviate from the originally approved site landscape plan. In spite of the fact the condition may have existed for some time it may require corrective action.

The townhouse complexes next door and across Campus Drive are much, much better maintained. We should contact them to see which landscape/maintenance company they

use. I would be happy to volunteer to walk around with John Snee and/or any board member to review the areas that I believe need attention.

- a. There are situations such as at this site that if you were to hire another contractor who does a good job maintaining another site(s) with irrigation system and other infrastructure adequate for the site to take care of itself the results may be just the opposite as expected.
- b. The VPHOA was built prior to the neighboring sites. Board members have critically reviewed the irrigation systems and other infrastructure of the neighboring sites and found that they are now well designed and built to be adequate for their intended purpose. The board cannot say if this correct infrastructure adequate for its intended purpose was the result of the original landscape design approved or a subsequent redesign. But, it is clear that the systems were per an adequate engineering design. The VPHOA irrigation system was definitely not correctly engineered for adequacy for intended purpose. Since then, landscape maintenance contractors, well intended or not, have made changes that have resulted in the problems observed.
- c. The board understands that landscape maintenance contractors rarely have front line workers with the engineering expertise that would enable the company to correct the irrigation system on their own. And because of greater priority of trees, roofing and other infrastructure issues the VPHOA Board has historically placed this issue lower in priority. No homeowner has stepped forward to form a committee to undertake the work required. Much of the work required is irrigation system technical redesign and construction.
- d. Regarding "I would be happy to volunteer to walk around with John Snee and/or any board member to review the areas that I believe need attention.", thank you for offering your support. The board shall greatly appreciate more details on what expertise you have with plants, irrigation systems, etc. and what policies and procedures you would be proposing relative to job walks, report writing and attendant recommendations to the board and expectations.

6. The last item on page 3 of the October 20, 2021 newsletter, regarding landscaping improvements - does this include the planter areas directly on the other side of our backyard fence? If so, please provide a list of approved plants as I am currently replanting my planter.

- c. Because of priorities and other factors It will take some time for the Board to critically review and write up a formal findings and recommendations report to be entered into the record on this question across the site. Problems with the original approved landscape plan include but are not limited to changed circumstances that require different design solution such as fire code, sun vs. shade with shade assumed to be negligible in the original designs, trees and their debris and attendant impact on surrounding soil, etc.
- d. In the meantime, the board has been supportive of homeowner's choice of temporary planting as long as it is not totally out of line.

7. What trees are on the approved list to replace the 48 trees that were removed? May I suggest Birch trees - Beautiful, several species that can grow from 30 -70 feet high and they need very little maintenance or trimming.

- b. Birch is not on the Moorpark City approved tree list.

- c. The trees VPHOA proposed to Moorpark City to plant that are both on the Moorpark City tree list and also of a size that complies with Ventura County Fire Code (VCFC):
- Pyrus calleryana 'Capital' Capital Pear (CP)
 - Lagerstroemia indica Crape Myrtle (CM)
 - Prunus cerasifera 'Atropurpurea' Purple Leaf Plum (PP)
 - Arbutus unedo Strawberry Tree (ST)
 - Cercis occidentalis Western Redbud (R)
- The Crape Myrtle trees are to replace those that died on Campus Park Drive. Moorpark City provided feedback that is under evaluation. The trees Moorpark City suggested in there feedback lean toward being non-compliant with VCFC.

Adjournment of Regular Session Meeting: 6:58 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association
Board of Directors Meeting
August 24, 2021
Remote Meeting due to COVID-19

Board President Roger Mickish called the meeting to order at 6:06 P.M. Also present:
Matthew McNutt, Secretary, Treasurer
Roger Proulx, Vice President
John Snee, GM Management
Laura Monteverde, 6440-D Marquette
Jill Madrid, 15076-B Varsity
Kelly Carney, 15136-C Varsity
Stacy Fontana, 15109-C Varsity
Cheri Toyen, 15122-B Varsity
Sheryl Guerrero, 15077-B Varsity
Florence Castaneda, 15110-B Varsity

Manager's Report

John Snee gave the manager's report and addressed the owners regarding the following HOA topics:

1. For anyone planning to change an exterior feature, please timely submit an Architectural Request for replacement. The Architectural Request Form and Rules may be downloaded from the VPHOA web site. See: <http://varsityparksouth.com/forms.php>
2. Reports
 - a. Homeowner Repairs: Thank you again homeowners making improvements to your property. In some cases letters have been sent to alert homeowners indicating a required corrective action for a condition that may have existed for some time. Please contract me if there are any issues you wish to discuss.
 - b. GM Management Is Homeowner Primary Contact: More specifically John Snee of GM Management is site manager who works for the Varsity Park Homeowners Association which is a corporation. VPHOA follows best business practice and statutory law with the following procedures:
 - i. HOA-related business/questions/concerns may be directed to the offices of GM Management by phone call or email.
 - ii. John Snee works with the homeowner to quickly reach a point where the question is answered and the question is "closed" in alignment with best business practice and statutory law. Common situations include but are not limited to John Snee:
 - Timely approves a work order within his delegation of authority or the opposite extreme explaining to the homeowner why the request is out of scope of VPHOA responsibilities. For example doors and windows are homeowner responsibility.
 - Informs the homeowner when the requested action is scheduled to automatically take place in alignment with GM Management cyclic operations policy and procedure.
 - Provides guidance to homeowner on how to fill out forms to make requests that are not standard operations policies and procedures or require board approval. Examples of forms for this purpose are Homeowner Improvement Proposal (HIP) and Architectural

Request. The forms must contain information adequate for the board to make an informed decision. This includes making clear what is being proposed is in line with CC&Rs and there is a corporate justification/business case to support.

- iii. No one is permitted to approach board members to discuss HOA business outside of a board meeting.
- iv. No one is permitted to interfere with VPHOA contractors. Contact John Snee if you have a question about a contractor's performance.
- v. Open sessions in board meetings are for homeowners to bring up issues and/or ask questions.
- vi. The homeowner is to make arrangements with John Snee for more complex issues so that they may be strategically, efficiently and effectively integrated into the meeting – open or closed sessions. This includes a homeowner making a formal presentation, addressing dispute resolution issues; appeal a John Snee decision to the board, etc.
- vii. The procedure for the Board to address an appeal follows and is typical of a procedure to arrange elevating an issue to the board:
 - The issue is to be stated by the homeowner in a request to John Snee and that will also be how the homeowner introduces the issue at the meeting if scheduled.
 - John Snee will summarize why the issue is closed from the site management point of view. If the homeowner is still working with John Snee on a timely plan forward and the issue is not closed; then the rule is that John Snee will notify the homeowner that he must close the issue before it can be brought before the board.
 - John Snee will include in his summary guidance on timely resolution he, as site manager, is obliged to offer to the homeowner and/or board or other stakeholders.
 - The Board will gather information at the meeting and generally make their formal decision at the closed executive meeting which will be noted in meeting minutes. This decision may be delayed if facts are missing. Action items may be assigned to GM Management to gather the missing information from appropriate sources including the homeowner.
- c. Board meetings: Zoom meetings will continue to be held every other month until all restrictions on masks are lifted and Board and GM Management mask policing activity currently required by the state is eliminated.
- d. VPHOA Fees – Rates are now \$420/month.
- e. 1/19-20/2021 Wind Storm & Recovery Underway
 - i. 15092-D Campus Park Dr. and 15136-C Varsity St: No Change, Just a reminder that Construction Contractor First On Site (Changed name from Interstate) has completed repair of these two units.
 - ii. 15049-D Varsity St recovery work:
 - Moorpark City Building and Safety has approved designs and steps are being taken to obtain the related construction permit.

- First On Site has coordinated an in-house construction cost estimate with Farmers insurance and VPHOA and per First On Site procedure they should be obtaining bids from construction contractors. We say should because it is not clear that prior procedure is being followed relative to coordination between First On Site and Farmers. In any case John Snee is taking the lead in following up with all the stakeholders to keep on track making efficient and effective progress.
 - Regarding asbestos concerns, VPHOA contracted independent licensed asbestos testing service provider to make a second opinion assessment regarding the likelihood of asbestos being released at the site due to the tree fall. The short answer is that if First On Site had conducted an asbestos test, as is industry standard, it is almost certain that no trace of asbestos would have been found and the C-22 contractor would not have had to be called in. The First On Site declaration that asbestos was present, in alignment OSHA guidelines when testing is not conducted, had profound impact on handling personal property within the home. This in turn complicated communication and coordination with homeowner and occupant and delayed progress for approximately four months.
- iii. Farmers insurance agent assigned and working recovery – No change and so far being fair and reasonable on reimbursement of cost incurred by VPHOA.
- f. High Priority Tree Initiative
- i. 6/17/2021 VPHOA submitted to Moorpark City a formal request for a permit to remove 117 trees at the site where 29 (red tag) wind issues dominate, 88 (yellow tag) Fire Defense Space Code and other factors such as structural damage are the drivers.
 - ii. 6/18/2021 VPHOA met with Moorpark City a permit officials and Ventura County Fire Department (VCFD) to discuss the above request for a permit to remove 117 trees based on Moorpark City Code and new VCFD Fire Defense Space Code.
 - iii. 7/19/2021 Moorpark City issued a permit to remove 44 trees based on Moorpark City Code alone. A permit to remove trees based on the relatively new VCFD Fire Defense Space Code will be delayed a few years until VCFD begins reviewing and approving changes to existing approved landscape plans to align to that new code.
 - iv. 8/5/2021 Request For Proposal (RFP) Sent to Four (4) Pre-qualified Tree Service Providers Followed By Job Walk 8/12/2021:
 - Phase 1 This RFP: The baseline plan is to issue multiple contracts to service providers to work in parallel to
 - a. Remove 44 trees by mid October 2021 prior arrival of windy season.

- b. Aggressively trim and/or shape 179 by March 2022
 - c. Professionally trim the remaining 83 by March 2022
 - d. The site is divided up into six sections. The baseline plan is for each contractor submitting a conforming bid to be awarded a section or major parts of sections for both tree removal and tree trimming.
 - Phase 2 Service Provider Contract For > 25' Trees follow up trimming and shaping to meet objectives of Phase 1 aggressive trimming/shaping.
 - Phase 3: In approximately two years, when VCFD begins reviewing and approving plans bringing prior approved landscape plans into alignment with VCFD Fire Defense Space Code, VPHOA will update the site survey and submit a request to remove additional trees as required.
 - Phase 4: In the 2024 time frame multi-source bid > 25' tree long term maintenance contract.
 - g. High Priority Re-roofing Initiative – No change: Class A Shingles and drip edge are expected to be mandatory.
3. Board Vacancy – Two Vacancies On Board

Homeowner's Comments

The owners in attendance expounded on items that follow.. John Snee and the board did not have an opportunity to reply contemporaneously per normal procedure. In the end President Roger Mickish and John Snee advise the homeowners that they had brought up nothing new and further recommended that homeowners read the July 1 letter and 5 letters sent out by GM Management since becoming site manager to find all issues brought up were adequately addressed therein. Details follow:

In prior zoom meeting the board managed the homeowner input so that best business practices were followed i.e. contemporaneous two-way question and answer procedure one homeowner at a time. But, at this meeting one after another homeowners took to stream of consciousness expounding to the board giving directions or making statements that the board was not doing its job one subject after another. The low quality of the audio was perhaps a contributing factor. But, in any case homeowners inserted themselves into each other's comments; talking over each, taking the subject matter into multiple directions - never checking to make sure everyone was on the same page and/or provided an opportunity for board to answer questions as they came up which is the purpose of this segment of the meeting. Paraphrase of the secession follow:

1. Removal/trimming of trees- One homeowner reported a recent conversation with Fireman who had been at the site 1/19/2021 and reported that the Fireman expressed surprise that a problem Aleppo Pine tree had not been removed by now which was the way homeowners also felt. Subsequent comments alleged that this was prima facie evidence that the board was falling short on timely tree removal and trimming performance because they alleged that all the board had to do is hire someone with a saw and tell that worker(s) what to do.
2. Roof maintenance/replacement- The board was informed that when roof shingles are replaced they must be class A per the homeowner's HO-6 insurance provider. Intended

or not the homeowner's attendant statements seem to imply that the board was sitting around doing nothing about fire safe roofing and that the board was ignorant of class A shingle requirements and possibly other fire hazard issues as well.

3. Individual homeowner insurance policies- The board was informed that per a homeowner's HO-6 insurer the VPHOA must make changes to address the fact that the association site has been identified as being located in a VERY HIGH FIRE HAZARD SEVERITY ZONES (VHFHSZ) In Local Responsibility Areas (LRA) As Recommended by CALFIREFIRE. Again, intended or not the homeowner's pontifications tended to present an image of a board that was sitting around doing nothing about the relatively new fire safety classification of VHFHSZ.
4. Landscape maintenance alleged poor performance (weeds, trash, sprinklers, and overgrown hedges) and Pine needle collection/disposal- Specific examples were provided. John Snee did provide acknowledge that that the issues are recognized by him and the board and a plan to improve performance is under development.
5. Improving communication between the management company/board of director and the homeowners-
 - a. Homeowners expounded that GM Management should send emails and otherwise make extra effort to give homeowners notice of VPHOA monthly meetings
 - b. Homeowners expounded that the GM Management letter sent in advance of zoom meetings should be improved:
 - i. Homeowners indicated that they would have like to have seen more site operations details in the letter such as "What does the color mean on the tags placed on the tree?"
 - ii. Some Homeowners had not received the letter in time to support the meeting and requested that it be mailed sooner.

At the point homeowners began repeating themselves, John Snee asked for board comment. Board president Roger Mickish mentioned he had difficulty in hearing some details but believes he fully understands the fundamentals. Fundamentally there was nothing new said that would oblige VPHOA to take action. Instead homeowners need to take an action. That is because comments were based on incorrect premises and/or answers have been provided in prior documentation. For example, the letter that GM Management has sent in advance of zoom meetings, that homeowners heavily criticized, is not a requirement.

What is a requirement is summarized in the July 1, 2021 letter. Statutory law requires the letter be sent out yearly so homeowners know what is required. Roger Mickish suggested that the homeowners go back and read the July 1, 2021 letter and the five additional letters sent to homeowners by John Snee of GM Management since taking over management in February 2021. He proposed that it is almost certain that homeowners will find that issues raised by homeowners in this meeting have been more than adequately addressed in those documents.

Minutes

The open and executive minutes of the June 22, 2021 meeting were approved by the board at the July, 2021 executive meeting as follows: Matt McNutt moved to approve both open and executive board meeting minutes June 22, 2021 as corrected in emails prior to meeting; Roger Proulx seconded and the motion carried.

Financial

John Snee presented the Financial Report.

HOA Business

Matt McNutt reported that the Penn Street clubhouse has been cleared of items that were being stored from unit 15049-D after the 01/19/2021 wind storm damage and the clubhouse is now available for use (rent) by homeowners.

Summary of July, 2021 Executive Meeting

The board discussed homeowner violations/fines, delinquencies, contracts and legal matters.

Adjournment of Regular Session Meeting: 6:57 P.M.

Minutes taken and transcribed by John Snee of GM Management

Varsity Park Homeowners Association **Board of Directors Meeting** **June 22, 2021** **Remote Meeting due to COVID-19**

Board President Roger Mickish called the meeting to order at 6:08 P.M. Also present:

Matthew McNutt, Secretary, Treasurer

Roger Proulx, Vice President

John Snee, GM Management

Jill Madrid, 15076-B Varsity

Bertha Zaragoza, 15138-A Campus Park (& Mary)

Alice Guana, 15137-C Varsity

Kelly Carney, 15136-C Varsity

Mary Romero, Leonard Barraza, 15054-C Varsity

Shannon Ryan, 15022-B Campus Park

Stacy Fontana, 15109-C Varsity

Christie (James Bolster), 15109-B Varsity

Lina Moseby, 15068-B Campus Park

Manager's Report

John Snee presented the managers report which included an update of information in the letter sent to all homeowners in advance of the meeting:

Tree Initiative: A permit to remove 117 trees was submitted to Moorpark City 6/18/2021.

Recovery from the 1/19/2021 Wind Damage: Repair of 15049-D Varsity St. is moving forward after an approximate three month delay related to alleged asbestos issues. Designs are completed and being submitted to Moorpark City for review, approval and permit to repair.

Procedure for Homeowners To Address Concerns: GM Management Is Homeowner Primary Contact. As we discussed at the February board meeting John Snee of GM Management was introduced as site manager, VPHOA follows best business practice and statutory law with the following procedures:

- i. HOA-related business/questions/concerns may be directed to the offices of GM Management by phone call or email.
- ii. No one is permitted to approach board members to discuss HOA business outside of a board meeting. Such business may only be addressed with the board/management at an HOA meeting.

Pools and Clubhouse: Now open

Board meetings: Zoom meetings will continue to be held every other month until all restrictions on masks are lifted and Board and GM Management mask policing activity currently required by the state is eliminated.

VPHOA Insurance - Rates are going up by ~\$45K/year. Approximately 25% is due to inflation and the other 75% is due to State of California designating VPHOA to be in a high fire risk zone and increase in rates because of claims filed over prior 18 months.

Signature cards are being updated to reflect the new management company.

Homeowner questions/comments

The homeowners in attendance discussed the status of the tree removal/trimming efforts; the board discussed the reasons why the local governing authorities had to be involved in the process. Another owner discussed the process involved with installing a power generator at one of the units.

In response to a homeowner question Roger Mickish noted that dues would likely increase. The exact number was to be determined and would be reported in the July 1, 2021 letter now being prepared to be sent out.

Minutes

Roger Mickish moved to approve the minutes of the May 25 executive meeting. Roger Proulx seconded and the motion carried. (The April, 2021 meeting minutes were approved at the May, 2021 meeting.)

HOA Business

Collections –

Roger Mickish moved to turn the following accounts over to collections for the recording of a lien for non-payment of HOA assessments: GMVP5020A2, GMVP5020C2, GMVP5066A3, GMVP5091D2, GMVP5112E4, GMVP5160E6, GMVP5188B2, GMVP6440B5, GMVP6488C2, GMVP6590C4. Matt McNutt seconded and the motion carried.

Roger Mickish and Matt McNutt reported that several light posts throughout the community are being replaced/repared, as needed. Also reported by Matt: many of the balcony repairs have been completed; the light at the Penn pool has been repaired. John Snee reported that the leak at the Marquette pool has been repaired.

It was announced that the HOA would continue to allow the Campus Park Clubhouse to be used as a polling place for local, state and presidential elections.

President Roger Mickish adjourned the open meeting at 6:43 P.M.

After the executive session was adjourned at 9:19 P.M. the regular session was called back to order 6/23/2021 9:30 A.M.

Roger Mickish moved to approve the 2021/2022 operating budget with dues increased to \$420 per unit per month. Matt McNutt seconded and the motion carried.

Regular session was adjourned 6/23/2021 9:40 A.M.

Minutes taken and transcribed by John Snee of GM Management.