

**Cypress Home Owners Association  
Board of Directors Meeting Minutes  
December 3, 2009**

1 Upon due notice, given and received, the Cypress Home Owners Association  
2 Board of Directors held their regularly scheduled Board of Directors Meeting  
3 on December 3, 2009, at Clubhouse #2, Cypress, California. The Board  
4 President, Donald Moreau, called the meeting to order at 7:16 p.m. with a  
5 quorum of Directors present.

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7 **Directors Present**

8 Donald Moreau, President

9 Betsy-Ann Toffler, Secretary

10 Brenan Cheung, Treasurer

11 Judith Fischer, Director at Large

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13 **Directors Absent**

14 Katie Bryson, Vice President

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16 **Also Attending**

17 Yamy Criblez, Accell Property Management, Inc.

18 Bill Jacob, Total Landscape Maintenance

19 Dean Morrison, ARW Antis Roofing and Waterproofing, Inc.

20 Victor Valdez, Antis Roofing and Waterproofing, Inc

21 Approximately four (4) Homeowners

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23 **Executive Session Meeting Topics**

24 In accordance with California Civil Code Section 1363.05, the Board notes that  
25 the following topics were discussed during an Executive Session Meeting held  
26 on December 03, 2009.

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- 28 1. Approval of the Executive Session Minutes from the
- 29 October 22, 2009 Meeting
- 30 2. Show Cause Hearings
- 31 3. Assessment Collection Status Report submitted by Cane, Walker &
- 32 Harkins LLP.

Executive Session

- 33 4. Assessment Collection Status Report submitted by The Judge Law  
34 Firm  
35 5. Correspondence submitted by The Judge Law Firm  
36 6. Correspondence submitted by Cane, Walker & Harkins LLP.  
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38 The foregoing resolution is executed pursuant to the general consent of the  
39 Board of Directors.

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41 **Total Landscape Maintenance, Inc.**

42 Bill Jacob of Total Landscape Maintenance, Inc., was in attendance to  
43 discuss the following items.

Total  
Landscape

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- 45 1. Common area Landscape  
46 2. Maintenance of front yards  
47 3. Maintenance of the trash enclosures  
48 4. Irrigation Repairs  
49 5. Approval of scalping, aerating, reseeding and fertilizing the turf on the  
50 north side of Larwin Avenue

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52 Following discussion, it was the general consent of the Board of Directors to  
53 approve Total Landscape Maintenance, Inc. to scalp, aerate, reseed and  
54 fertilize turf on the north side of Larwin Avenue at no additional charge.  
55 However, the Board was advised that there would be an increase of the water  
56 usage, as these areas will require excessive watering.

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58 **Presentation by ARW Antis Roofing and Waterproofing, Inc.**

Antis Roofing and  
Waterproofing  
Roof  
Maintenance

59 Dean Morrison and Victor Valdez were in attendance to present a  
60 comprehensive maintenance proposal for the maintenance of the roofs and  
61 mansards in the community. They also presented a slideshow of roofing  
62 work completed in 2009. Following review and discussion, it was the  
63 general consent of the Board of Directors to table this proposal until further  
64 notice. The vendor was requested to perform an inspection of all roofs and  
65 prepare a maintenance plan based on maintenance needs, in addition to  
66 ranking the roofs needing mansard replacement in order of priority.

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**Minutes**

The Board of Directors reviewed the Minutes from the October 22, 2009 Board of Directors Meeting. Following review and discussion, a motion was made by Don Moreau and seconded by Judith Fischer to approve the minutes as presented. The motion carried unanimously.

Minutes

The Board of Directors reviewed the Minutes from the November 8, 2009 Budget Meeting. Following review and discussion, a motion was made by Don Moreau and seconded by Betsy-Ann Toffler to approve the minutes as presented. The motion carried unanimously.

**Financials**

The Board of Directors reviewed the reserve study as prepared by Michael J. Ferrara. Following review and discussion, it was the general consent of the Board of Directors to table this item as the draft presented required some additional updates. Director Brenan Cheung and Judith Fischer were appointed to review the reserve study and make recommendations to the Board as to the changes needed. Therefore, this item was tabled for discussion upon receipt of an update from the Board.

Reserve  
Study

The Board of Directors discussed transferring monies from Merrill Lynch to another institution, as they were not satisfied with Merrill Lynch interest rates presented at the meeting. Following discussion, a motion was made by Brenan Cheung and seconded by Don Moreau to transfer \$200,000 from Merrill Lynch to the City National Bank money market account until further notice. The motion carried unanimously.

Reserve  
investment

The Board of Directors reviewed the financial statements for the periods ending September 30, 2009 and October 31, 2009. Following review and discussion, a motion was made by Brenan Cheung and seconded by Don Moreau to approve the financial statements as presented. The motion carried unanimously.

Financials

106 **Board Actions**

107 The Board of Directors reviewed a Resolution to Record Lien submitted by  
108 Cane, Walker & Harkins LLP., for account #114766. After review, it was the  
109 general consent of the Board of Directors to approve the Lien Resolution for  
110 account number 114766.

Resolution  
Record Lien

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112 The Board of Directors reviewed proposals from vendors for the preparation  
113 of the audit and income tax returns for the Homeowners Association.

Audit and  
Tax Proposals

114 Following review and discussion, a motion was made by Betsy-Ann Toffler  
115 and seconded by Judith Fischer to approve the proposal submitted by  
116 Schonwit and Company in the amount of \$1,400.00. The motion carried  
117 unanimously.

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119 The Board of Directors discussed amending the Bylaws in an effort to lower  
120 the annual meeting quorum requirements and to include staggered terms of  
121 of office for Board members. Management advised the Board that per David  
122 Cane, the Association's legal counsel, the cost to amend the Bylaws ranges  
123 between \$500.00-\$1,000.00. Following discussion, the Board of Directors  
124 instructed Management to obtain a written estimate for their review at the  
125 next meeting. Therefore, the Board tabled this item to the next meeting.

Bylaws  
Amendment

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127 The Board of Directors reviewed correspondence submitted by the  
128 Homeowner of 4734 Larwin, requesting reimbursement for plumbing  
129 expenses she incurred as a result of a water leak. Following review and  
130 discussion, a motion was made by Don Moreau and seconded by Betsy-Ann  
131 Toffler to table this item as additional information is necessary in order for  
132 the Board to make a decision. Management was instructed to contact the  
133 Homeowner and request that she provides the following: a vendor's written  
134 statement providing details of the repair/replacement, pictures, and or any  
135 other documentation that could help determine responsibility. The motion  
136 carried unanimously.

Homeowner  
Request  
4734 Larwin

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138 The Board of Directors reviewed the revised Association Rules and Regula-  
139 tions and Architectural Guidelines, as well as, the comments received by the  
140 Homeowners with this regard. Following review and discussion, a motion  
141 was made by Don Moreau and seconded by Betsy-Ann Toffler to approve the

Community  
Guidelines

142 revised Rules and Regulations and Architectural Guidelines as presented.  
143 The motion carried unanimously.  
144 The Board of Directors reviewed the 2010 Project Calendar prepared by  
145 Management. Following review, it was a general consent of the Board of  
146 Directors to accept the calendar as presented.

2010  
Project  
Calendar

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148 **Homeowner Open Forum**

149 The following issues were discussed during the Homeowner Open Forum:  
150 Roofs and mansard repairs/replacement and landscape replacement request  
151 from the owner of 4658 Larwin, as well as, a request to install a sensed-  
152 motion light on the exterior of the home.

Open Forum

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154 **Adjournment**

155 There being no further business to come before the Board, it was the general  
156 consent of the Board of Directors to adjourn the meeting at 9:40 p.m. to  
157 Executive Session to discuss Delinquent Assessment Accounts.

Adjournment

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159 **Attest**

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**President**

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**Secretary**