

SHADY CANYON COMMUNITY ASSOCIATION
GENERAL SESSION MEETING MINUTES
OCTOBER 7, 2009
Page 1 of 4

BOARD MEMBERS PRESENT: Rich Cadarette
Richard Liggitt
Mike Gray
Mike Noggle

BOARD MEMBERS ABSENT: Mike Reeves

MANAGEMENT REPRESENTATIVES: Shana Aaberg
Julie Haye
Sherry Salazar
Mike Smith
Keystone Pacific Property Management, Inc.

ISSUES DISCUSSED IN EXECUTIVE SESSION

The September 2, 2009 meeting minutes were approved, hearings were held, a policy for weed removal on empty lots, a proposal for maintenance on the common area slopes within the Villas and Sycamores, the landscape architectural consultant contract, delinquent accounts, vendors' performance, a homeowner fine reversal request, bad debt write –offs and a proposal for regular maintenance on the wooden access gates were discussed during the October 7, 2009 Executive Session meeting.

CALL TO ORDER

The meeting was called to order by Board President, Mike Noggle at 4:25 P.M.

GUEST IN ATTENDANCE.

Scott McClain and Todd Cooper from GMI, Inc. were in attendance to answer any questions regarding gate access control.

Devin Sanders and Maryellen Bell from Mosaic Consulting, Inc. were in attendance to answer any questions regarding landscape maintenance.

ARCHITECTURAL REPORT

Sherry Salazar gave an update regarding the design review process, homes under construction, final approvals and construction violations. There were two down slope fences completed.

HOMEOWNER FORUM

No homeowners spoke during the homeowner forum.

CONSENT CALENDAR

A motion was made, seconded and carried to approve the following items from the consent calendar, without further discussion:

Item A: September 2, 2009 General Session Meeting Minutes – Resolved, to approve the September 2, 2009 General Session Meeting Minutes.

Item B: Action Without Meeting Minutes – Down Slope Fence Process Revision – Resolved, to ratify and approve the Action Without Meeting Minutes to approve the proposed revision to the down slope fence process.

SHADY CANYON COMMUNITY ASSOCIATION
GENERAL SESSION MEETING MINUTES
OCTOBER 7, 2009
Page 2 of 4

Item C: Financial Statements – Resolved, to accept the May 31, 2009, June 30, 2009, July 31, 2009 and August 31, 2009 financial statements as submitted. Mike Smith, Company Controller for Keystone Pacific Property Management, Inc. was in attendance to discuss the new four page summary format for the financial statement as requested by the Board. Beginning at the next Board meeting, the Board has requested to receive only the four page summary in their Board packet and will review the full statement quarterly.

Item D: Audit/Tax Proposals – Resolved, to approve the proposal from Inouye, Shively & Longtin, C.P.A. to prepare the Association’s audit/taxes for a cost of \$1,400.00.

Item E: Annual Maintenance Inspection – Resolved, to approve the proposal from ProTec Building Services to perform the annual maintenance inspection for the Association for a cost of \$1,485.00.

Item F: Homeowner Request for a Landscape Maintenance Easement Agreement (LMEA) – Resolved, to approve homeowner at lot 37C, of Tract 16646 request for a Landscape Maintenance Easement Agreement as this is the standard agreement that has been granted to homeowners with this condition at their rear property line. All associated costs will be paid by the homeowner.

Item G: Homeowner Request for a Landscape Maintenance Easement Agreement (LMEA) – Resolved, to approve homeowner at lot 29D, of Tract 15461 request for a Landscape Maintenance Easement Agreement as this is the standard agreement that has been granted to homeowners with this condition at their rear property line. All associated costs will be paid by the homeowner.

Item H: Valley Crest Tree Care Services Tree Trimming Proposals – Resolved, to approve the tree trimming proposal from Valley Crest Tree Care Services to trim all California Pepper trees in the Shady Canyon and Shared Cost Center common areas for a total cost of \$8,424.00.

Item I: Holiday Lighting Proposal – Resolved, to accept the proposal from Service 1st Lighting to provide the holiday lighting and decorations for the Association for a total cost of \$11,900.00.

Item J: Delinquent Accounts – Resolved, to place liens on accounts APN #464-041-18, APN #464-031-42, APN #464-031-54, APN #464-051-24, APN #464-051-50 and UNIT #41011-1.

OLD/NEW BUSINESS

Item A: Proposed Change to the Rules and Regulations – Mr. Brook Morris, Lot owner at 48 Echo Glen, was in attendance to request that the Board consider another solution to the issue of construction vehicles parking in front of finished homes on streets where all homes are complete, prior to adoption of a rule allowing “No Construction Parking” signs. Therefore, the Board decided to table this rule change and discuss possible solutions to this problem at the November 4, 2009 Board meeting.

Item B: Proposed Change to the Rules and Regulations – A motion was made, seconded and carried to send out the proposed speed policy to the membership and review all comments received at the December 2, 2009 Board meeting. Motion carried 4/0.

Item C: Proposed Change to the Rules and Regulations – A motion was made, seconded and carried to send out the proposed rule change regarding contractor access to the membership and review all comments received at the December 2, 2009 Board meeting. Motion carried 4/0.

Item D: Homeowner Request to Plant Trees in the Common Area – A motion was made, seconded and carried to grant approval to the homeowners at Lot 1D, Tract 15461 to plant fifteen (15) 48” box Sycamore trees on the common area slope near their home with the condition that the community landscape contractor installs the trees, with all costs to be paid by the homeowners. Motion carried 4/0.

SHADY CANYON COMMUNITY ASSOCIATION
GENERAL SESSION MEETING MINUTES
OCTOBER 7, 2009
Page 3 of 4

Item E: Homeowner Request for a Landscape Maintenance Easement Area (LMEA) – A motion was made, seconded and carried to grant approval to the homeowners at Lot 1D, Tract 15461 to obtain a LMEA to maintain a small flat bench of land on the left side of the property line. A formal LMEA will be drafted by legal counsel with all costs to be paid by the homeowner. Motion carried 4/0.

Item F: Homeowner Request not to Install a Concrete Mow Strip Along the Rear Property Line – This item was tabled for discussion of a possible policy change at the November 4, 2009 Board meeting.

Item G: Homeowner Request to Plant Trees in Common Area – A motion was made, seconded and carried to grant approval to the homeowners at Lots 20-21, Tract 15941 to plant three (3) 24 gallon (3) 24 gallon *Quercus agrifolia* (Coast Live Oak), *Quercus engelmannii* (Mesa Oak) or *Plantanus racemosa* (California Sycamore) just outside of the property line to screen the vineyard with the condition that the community landscape contractor installs the trees, with all costs to be paid by the homeowners. Motion carried 4/0.

Item H: Homeowner Request for a Variance – Floor Area Calculations – Jennifer Brooks, Chairman of the Design Review Committee (DRC), Mrs. Connie Fox of Coast Development Consultants and Dr. Alethea Hsu, homeowner at 21 Cactus were present at the Board meeting to discuss this variance request. This item was tabled due to the fact that the Board needed additional information to accurately evaluate the request. Specifically, the Board wished to see visual representation of the “sunken garden” as well as desired additional information from the DRC.

Item I: Homeowner Request for a Variance – Subterranean Basement Structure – A motion was made, seconded and carried to approve the variance request from the homeowners at Lots 12-13, Tract 15941 to construct a new subterranean basement structure outside of the Building Envelope due to the fact that the project consists of a large double Lot with a large amount of landscaped area and requests of this nature have been granted in the past. Final approval of the structure will be given after formal DRC review and will be subject to the following conditions:

- The proposed structure must be located within the City of Irvine’s minimum setback requirements (20’ side yard, 25’ rear yard).
- The proposed subterranean basement structure is not visible from any offsite views.
- Any exposed portions of the subterranean basement structure, as interpreted under the square footage calculation guidelines, will not exceed the maximum allowable square footage for the Parcel (per Exhibit A).

Motion carried 4/0.

Item J: 2009-2010 Reserve Studies – A motion was made, seconded and carried to approve the 2009-2010 Reserve Studies for Shady Canyon, the Cost Center and the Shared cost Center. Motion carried 4/0.

Item K: Proposed 2009-2010 Budgets – A motion was made, seconded and carried to approve the proposed 2009-2010 budgets for Shady Canyon, the Cost Center and the Shared Cost Center with the condition that the additional monthly landscape contract cost from My Botanica to care for the common area slopes within the Villas and Sycamores is added to the Shady Canyon Landscape Maintenance yearly budget. Dues for Shady Canyon will increase to \$401.00, dues for the Cost Center will remain constant at \$110.00 and dues for the Shared Cost Center will decrease to \$99.00. Motion carried 4/0.

SHADY CANYON COMMUNITY ASSOCIATION
GENERAL SESSION MEETING MINUTES
OCTOBER 7, 2009
Page 4 of 4

Item L: Discussion Items from Board Treasurer, Mike Gray's Meeting with Management – The items of Consolidation of the Financial Statement, Bad Debt Write-offs and Explanation of Equity were discussed as a portion of the financial statement approval. The items pertaining to Yearly Assessment Collection and Golf Course Contribution were tabled to be discussed at the November 4, 2009 Board meeting.

COMMITTEE REPORTS

Richard Liggitt, chairman of the landscape committee discussed the committee's involvement in reviewing homeowner off-site planting plan requests and the request that will be placed on next month's meeting agenda regarding the committee's authority to spend the landscape extras budget.

No members of the Villas/Sycamores committee were present, however they requested that Management inform the Board that they are focusing on acclimating the new landscape vendor.

ADJOURNMENT

With no further business to discuss, the General Session was adjourned at 6:35 P.M.

ACCEPTED: _____

Richard C. Liggitt

DATE: _____