

DRAFT OF THE MINUTES
Phase One Association Board Meeting, Jan. 16, 2001
Not yet approved by the Board

I. CALL TO ORDER. The meeting was called to order at 7:03 p.m. by Basha Hanner. Also present were Nancy Platford, Tricia Swift, Mark Hanner, and Ned Flanders.

II. HOMEOWNERS' FORUM. There were no homeowners present, thus no Forum.

III. MINUTES. It M.S.P. to approve of the Minutes for the Nov. 28 Board meeting.

IV. TREASURER'S REPORT. Mark suggested that we deal with finances and budgets at the next meeting which is scheduled for Thursday, Feb. 15th, at Ned's house, #1 Spyglass Hill.

It was M.S.P. to contract with Carol Stalker, C.P.A. to audit the Association accounts and prepare our tax return at a cost of \$875.

V. UNFINISHED BUSINESS.

1. Revising the CC&Rs was set aside for discussion later.
2. The new plaque is being antiqued and Chris Mead will install it.
3. The path from Spyglass to the Club parking lot has been included in the Club budget for this year and work is expected to be completed this year providing the proposed budget is approved at the Club Annual Meeting which is scheduled for 10 a.m., Saturday, Jan. 27th. This is great news for Spyglass Hill Club members. Thanks for the letters written by Phase I homeowners.
4. Update on stucco damage: on 1/10/01 Ann Rankin (attorney) wrote to the attorney for W.L.Butler requesting action on our claim to inspect other units that have overhangs that may be dangerous. So far W.L.Butler has not responded.
5. The mailbox that blew down in a last December windstorm was repaired the next day through excellent coordination with Lin Yates of Miramonte.

VI. LANDSCAPE REPORT.

1. Work on the hill between #s 44/46/48 and 60 is complete. Basha to follow up with Mike Barton to inspect.
2. Work on trimming trees and bushes between #s 38/40/42 and 44/46/48 is complete.
3. It was M.S.P. to approve of a planting request by #30 providing the costs involved are acceptable to the homeowner.
4. It was M.S.P. to approve of the start of landscape work behind #s 55/57/59 limited to the \$1,500 which is left in the landscape budget for last year.

VII. MANAGEMENT REPORT

1. The homeowner at #55 has apparently secured the free standing cabinet which was reported to be leaning.
2. The homeowner of #53 has reported a leak in the roof and has been attempting to contact Mike Newland of W.L.Butler.

VIII. NEW BUSINESS.

1. Basha has reserved the Club main hall for the Annual Meeting of Phase One on Thursday, March 8th. Business meeting starts promptly at 7:00 p.m. Registration, HO's/proxies, 6:45 p.m.
2. As secretary, Ned is responsible for distributing a notice to all homeowners no later than February 8th, one month before the Annual Meeting is scheduled.
3. Basha and Nancy have agreed to organize a Nominating Committee

Basha left about 8:30 p.m. so that Nancy, Tricia, Mark, and Ned could work on the list of changes to the By-Laws and CC&Rs that the Board must to send on to the Ann Rankin firm who will produce final copy. We hope to have the list of Board changes in Ann Rankin's office within the next few days.

The meeting adjourned at 9:20 p.m. Next Board meeting, Feb. 15, 7 p.m. @#1 Spyglass Hill.

Respectively submitted by Ned as Secretary.

**HILLER HIGHLANDS PHASE ONE HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
Tuesday, Jan. 16, 2001
7:00 PM 7 Spyglass Hill**

AGENDA *Subject to Change*

I. 7:00PM CALL TO ORDER – B. Hanner

II. HOMEOWNERS FORUM
(Items From The Floor are usually kept to 15 minutes. Following Homeowners Forum, Homeowners are welcome to stay and observe the remainder of the Board Meeting. However, they may not participate in the proceedings or discussions. Thank you for your cooperation.)

III. MINUTES – N. Flanders
1. Review and approval of Nov. 28 Meeting Minutes.

IV. TREASURER'S REPORT – M. Hanner
1. Review of 2000 Year End Financial Statements
2. Review of 2001 Budget
3. Aging/Delinquency Report

V. UNFINISHED BUSINESS
1. CC&R Revision and Amendments– M. Hanner, N. Flanders
 – Final review of updated By-Laws distributed in December to the Board
 – Detailed review of final edits to CC&Rs
 – Specification of actual use (closets, laundry rooms, elevators) and reconciliation of grants of exclusive use. Update from Ned.
 – Review of schedule for completion of project
2. Firestorm plaque: Plaque received. It is being antiqued and Chris Mead will install.
3. Status of request to Highlands Country Club on repair of path to club. Probably will not be done in 2001.
4. Stucco damage of Oct. 2 update from Basha.
5. Mailbox that blew down during December windstorm: was repaired the next day through excellent coordination by Lin Yates.

VI. LANDSCAPE REPORT – B. Hanner
1. Work on hill between #44/46/48 and #60 is complete.
2. Work on trimming between #38/40/42 and #44/46/48 is complete.
3. Homeowner at #30 requested removal of shrub by street and Basha acquired a bid from L.C.C. to replace it with 15 gal. "Indica Azalea/pink lace" for \$145. Homeowner does not want to pay for labor so no action taken at this time. Review actions.
4. Proposals for hill area behind # 55/57/59 to be distributed to board members by Basha.

VII. MANAGEMENT REPORT – B. Hanner
1. Action Items/Site Inspection: Maintenance Items are included in Unfinished Business.
2. HO at #55 has been notified that the freestanding cabinet in carport is leaning drastically and should be secured. HO will try to contact W.L. Butler to repair. Site inspections revealed that homeowner remedied situation.

VIII. NEW BUSINESS
1. Scheduling and planning for annual meeting on March 8, 2001. Club space reserved by Basha.
2. Plan for nominating committee.
3. New business

IX. ADJOURN

NEXT MEETING: _____ **LOCATION:** _____

ANN RANKIN
EDWARD NEMETZ
JANE K. PENHALIGEN
TERRY WILKENS

LAW OFFICES OF ANN RANKIN

POST OFFICE BOX 11144, OAKLAND, CA 94611-1144

3911 HARRISON STREET, OAKLAND, CA

WEBSITE: www.annrankin.com

E-MAIL: info@annrankin.com

TEL: (510) 653-8886
FAX: (510) 653-8889

CENTRAL AREA
TEL: (209) 441-0490

TOLL FREE
TEL: (800) 354-4529

January 10, 2001

Robert Gagliasso, Esq.
Nagle, Bustamante & O'Hara
Ten Almaden Blvd., Suite 650
San Jose, CA 95113

Re: **Hiller Highlands I HOA**
Your Client: W.L. Butler

Dear Bob:

This firm represents Hiller Highlands I HOA. As you know, there was recently a problem with failed stucco soffits arising from improper workmanship by your client. The Association has been trying to determine whether the problem with the workmanship is an isolated one, or whether there may be more similar problems. It will not be possible to make this determination without destructive testing. Avelar & Associates has submitted the enclosed recommendation and proposal.

The Association asks that W.L. Butler or its insurer perform the recommended testing at its expense. A representative of Avelar's office will be in attendance. Once we have determined the scope of the problem, we will be in a position to discuss a resolution. If the installation error is limited to one or two locations, then Butler can fix the problems or pay for the repairs and nothing else will be needed. However, if the problem is more widespread, then the Association will insist upon repairing all affected locations in order to avoid potential risks to personal safety of the residents and their invitees. Please call me to discuss this. Thank you for your anticipated courtesies.

Very truly yours,

LAW OFFICES OF ANN RANKIN


Ann Rankin

Enclosure

cc: Ms. Lin Yates w/o encl.

Ms. Basha Hammer w/o encl.

AR:rkb

G:\Fileroom\hiller\litr\gagliasso11001.wpd

BOARD MEETING

YOU ARE WELCOME TO ATTEND THE
PHASE ONE ASSOCIATION BOARD MEETING
TO BE HELD THIS COMING TUESDAY,
JANUARY 16th AT THE HOME OF
TRICIA SWIFT, #7 SPYGLASS HILL
AT 7:00 p.m.

We will be discussing revisions of the CC&Rs and making plans for the Annual Meeting. There will be time to discuss topics brought to the meeting by home owners.

BE SURE AND SAVE
THURSDAY, MARCH 8th FOR THE
ANNUAL MEETING OF PHASE ONE

page 2, FAX

DRAFT OF THE MINUTES
Phase One Board Meeting, February 15, 2001
Not yet approved by the Board

I. CALL TO ORDER. Basha called the meeting to order 7:40 p.m. Basha Hanner, Mark Hanner, Nancy Platford, Tricia Swift, and Ned Flanders were present.

II. HOMEOWNER'S FORUM. No homeowners were present, thus, no Forum.

III. Minutes. It was m.s.p. to approve the Minutes for January 16, 2001.

IV. TREASURER'S REPORT. The budget for 2001 was approved by the Board on October 30 which included a monthly assessment of \$210 per residence. Mark pointed out that this level of assessment will produce about \$7,200 less for reserves than the level of funding recommended by the Reserve Study. Some members of the Board believe that there should be an opportunity at the Annual Meeting to discuss the budget. There are no delinquencies in monthly payments.

V. UNFINISHED BUSINESS.

1. Revision of the CC&Rs and By-Laws. Copies of the proposed final revision of the CC&Rs were sent back to the Ann Rankin Law Offices for further corrections. Final copy may become available on Feb. 20 or 21. We plan to schedule living room discussions as soon as we can distribute copies of the CC&Rs plus By-Laws.

It was m.s.p. to approve spending up to \$500 for reproduction and printing copies of the CC&Rs and By-Laws for the 34 homeowners.

2. The Annual Meeting is scheduled for March 8, 7:00 p.m. as announced.

3. There are not enough volunteers for the new Board. Basha will continue to contact others. Anyone willing to serve should contact Basha at 843-7799.

4. The Firestorm Plaque should be finished and installed in the next 30 days.

5. It was m.s.p. to spend up to \$1,400 to conduct an invasive diagnosis of the soffit damage at #38.

VI. LANDSCAPE REPORT

1. It was m.s.p. to spend \$1,500 to improve the planting on the hill area between #s 53 and 57. This work is scheduled for the next few weeks.

VII. NEW BUSINESS. There was no new business.

The meeting was adjourned at 9:15 p.m.

**HILLER HIGHLANDS PHASE ONE HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
Thursday, Feb. 15, 2001
7:00 PM 1 Spyglass Hill**

AGENDA *Subject to Change*

I. 7:00PM CALL TO ORDER – B. Hanner

II. HOMEOWNERS FORUM
(Items From The Floor are usually kept to 15 minutes. Following Homeowners Forum, Homeowners are welcome to stay and observe the remainder of the Board Meeting. However, they may not participate in the proceedings or discussions. Thank you for your cooperation.)

III. MINUTES – N. Flanders
1. Review and approval of Jan. 16 Meeting Minutes.

IV. TREASURER'S REPORT – M. Hanner
1. Review of 2001 Budget
2. Aging/Delinquency Report

V. UNFINISHED BUSINESS
1. CC&R Revision and Amendments– M. Hanner, N. Flanders
 ▪ Status of updates from Ann Rankin
 ▪ Summary description of changes
 ▪ Review of schedule for meetings and balloting
2. Scheduling and planning for annual meeting on March 8, 2001.
3. Plan for nominating committee: Lack of active volunteers. Tricia and Amir as board members but not officers plus Mildred.
4. Firestorm plaque: Plaque will be received in one to two weeks. It is being antiqued and Chris Mead will install.
5. Stucco damage of Oct. 2 update from Basha. Discuss 9am site meeting today.

VI. LANDSCAPE REPORT – B. Hanner
1. Proposals approved for hill area behind # 55/57/59 to be implemented ASAP at a cost of less than \$1,500.

VII. MANAGEMENT REPORT – B. Hanner
1. No new issues.

VIII. NEW BUSINESS
1. Other new business

IX. ADJOURN

NEXT MEETING: _____ LOCATION: _____

FAX

DATE March 20, 2001

TO Lin Yates, Miramonte, (925)932-7150

FROM Ned A. Flanders, 510-841-8371

If you want to send a FAX to the Flanders, you should know that we have only one telephone line for our house. After your FAX is completely ready, telephone first. If someone answers, tell them you want to send a FAX within the next sixty seconds so they won't answer the next ring. If no one answers, send a FAX after the beep of the outgoing message from the answering machine.

THIS FAX CONSISTS OF - this page plus one more.

Hi Lin:

Next page contains the minutes to our Feb. 15th meeting. It was held at my house, #1 Spyglass Hill, should you wish to add such information.

NEW TOPIC: I will be in touch with Maxine re. adjusting monthly payments on April 1 versus May 1. Right now I am leaning toward the May 1st date, but the other Board members have not yet reacted.

Ned

DRAFT OF THE MINUTES
Phase One Board Meeting, February 15, 2001
Not yet approved by the Board

I. CALL TO ORDER. Basha called the meeting to order 7:40 p.m. Basha Hanner, Mark Hanner, Nancy Platford, Tricia Swift, and Ned Flanders were present.

II. HOMEOWNER'S FORUM. No homeowners were present, thus, no Forum.

III. Minutes. It was m.s.p. to approve the Minutes for January 16, 2001.

IV. TREASURER'S REPORT. The budget for 2001 was approved by the Board on October 30 which included a monthly assessment of \$210 per residence. Mark pointed out that this level of assessment will produce about \$7,200 less for reserves than the level of funding recommended by the Reserve Study. Some members of the Board believe that there should be an opportunity at the Annual Meeting to discuss the budget. There are no delinquencies in monthly payments.

V. UNFINISHED BUSINESS.

1. Revision of the CC&Rs and By-Laws. Copies of the proposed final revision of the CC&Rs were sent back to the Ann Rankin Law Offices for further corrections. Final copy may become available on Feb. 20 or 21. We plan to schedule living room discussions as soon as we can distribute copies of the CC&Rs plus By-Laws.

It was m.s.p. to approve spending up to \$500 for reproduction and printing copies of the CC&Rs and By-Laws for the 34 homeowners.

2. The Annual Meeting is scheduled for March 8, 7:00 p.m. as announced.

3. There are not enough volunteers for the new Board. Basha will continue to contact others. Anyone willing to serve should contact Basha at 843-7799.

4. The Firestorm Plaque should be finished and installed in the next 30 days.

5. It was m.s.p. to spend up to \$1,400 to conduct an invasive diagnosis of the soffit damage at #38.

VI. LANDSCAPE REPORT

1. It was m.s.p. to spend \$1,500 to improve the planting on the hill area between #s 53 and 57. This work is scheduled for the next few weeks.

VII. NEW BUSINESS. There was no new business.

The meeting was adjourned at 9:15 p.m.

**HILLER HIGHLANDS PHASE ONE HOMEOWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, APRIL 5, 2001
7:00PM, 7 SPYGLASS HILL**

AGENDA

Subject to Change

I. 7:00PM

CALL TO ORDER – T. Swift

II.

HOMEOWNERS FORUM (Items From The Floor will be kept to 15:00 minutes. Following Homeowners Forum, Homeowners are welcome to stay and observe the remainder of the Board Meeting. However, they may not participate in the proceedings or discussions. Thank you for your cooperation.)

III.

MINUTES – N. Platford
1. Meeting Minutes Last Board Meeting
2. Review Draft Annual Meeting Minutes
3. Organizational Board Meeting Minutes

IV.

TREASURER'S REPORT – S. Cobblestick
1. February 2001 Financial Statement
2. Aging/Delinquency Report

V.

MANAGEMENT ITEMS
1. Action Items
2. Maintenance Items
3. Document Storage Update

VI.

UNFINISHED BUSINESS
1. CC&R Revision and Amendments– M. Hanner, N. Flanders
2. Exterior Repairs Unit #38
3. Destructive Testing to Rule Out Hidden Construction Deficiencies

VII.

NEW BUSINESS
1. Request for Reserved Parking Assignment
2. Goal Setting/Establishment of Time Lines
4. Management Agreement – Refining Relationship
5. Community Involvement/Participation
6. Relationship with The Club Regarding Water

VIII.

COMMITTEES REPORTS
① Landscape Committee
2. CORE Committee

IX.

NEWSLETTER ITEMS

X. 8:30 PM ADJOURN

NEXT MEETING: _____ LOCATION: _____

HILLER HIGHLANDS 1 ASSOCIATION
c/o Miramonte Company
1225 Alpine Road, Suite 206
Walnut Creek, CA 94596

ORGANIZATIONAL BOARD OF DIRECTORS MEETING

THURSDAY, MARCH 8, 2001

FOLLOWING THE ANNUAL MEETING, HILLER HIGHLANDS CLUBHOUSE

MEETING MINUTES

BOARD MEMBERS PRESENT: Patricia Swift, Mildred Hughes, Nancy Platford, Steve Cobbledick.

BOARD MEMBERS ABSENT: None

MIRAMONTE COMPANY REPRESENTED BY: M. Rottenberg

ELECTION OF OFFICERS

MOTION: N. Platford moved, M. Hughes seconded to elect the following officers:

President: Patricia Swift, Vice President: Mildred Hughes, Secretary: Nancy Platford, Treasurer: Steve Cobbledick. Passed.

Bank Signature Cards: Imperial Bank and Bank of San Francisco signature cards updated.

NEW BUSINESS:

Major issues for Board to achieve in the following year are as follows: Landscaping, evaluating Miramonte Company, Destructive Testing, and Relationship with Club regarding water.

Basha Hanner agreed to continue to serve on the Landscape Committee.

There being no further business the meeting was adjourned at 8:55PM. Next Board Meeting to be held on Thursday, April 5, 2001, 7:00PM at 7 Spyglass Hill. The Board will let Miramonte know if they want a representative to attend.

Respectfully submitted,

Nancy Platford, Secretary

Date:

HILLER HIGHLANDS 1 ASSOCIATION
c/o Miramonte Company
1225 Alpine Road, Suite 206
Walnut Creek, CA 94596

2001 ANNUAL MEETING
THURSDAY, MARCH 8, 2001
7:00PM, HILLER HIGHLANDS CLUBHOUSE

MEETING MINUTES

BOARD MEMBERS PRESENT: B. Hanner, N. Flanders, M. Hanner, P. Swift, N. Platford.
BOARD MEMBERS ABSENT: None
MIRAMONTE COMPANY REPRESENTED BY: M. Rottenberg
HOMEOWNERS PRESENT: See attached.

The meeting was called to order by the President, Basha Hanner at 7:05PM.

ESTABLISHMENT OF QUORUM

Quorum established; 17 Members present in person, 10 Members represented by Proxy. Notice of the annual meeting sent to all members February 8, 2001.

ANNUAL MEETING MINUTES

MOTION: M. Flanders moved, D. Reilly seconded to accept the 2000 Annual Meeting Minutes with a correction noting that M/M Mulligan were present at the meeting last year.
PASSED

2000 ACCOMPLISHMENTS

Basha Hanner noted the past year accomplishments:
Amending of CC&Rs, Fixed V-Ditch problem, repairing and repaving of street, mailboxes fixed, and landscape improvements. Basha thanked Miramonte for their services.

COMMITTEE REPORTS

Landscaping: B. Hanner reviewed the past three years expenditures: '99 - \$9K, '00 - \$12K, '01 - \$5K. The Association has pruned for fire prevention and Basha thanked the homeowners for their cooperation

CORE: E. Ono reported CORE has not asked for contributions this year as they are adequately funded. An updated homeowner's roster is needed.

CC&Rs: N. Flanders discussed changes in the CC&Rs, noting that the monthly assessment will be based upon square footage. M. Hanner noted that the CC&Rs are now compliant with Civil Code and discriminatory language has been removed. Only one homeowner per family is now permitted to serve on the Board of Directors.

FINANCIAL UPDATE

Treasurer's Report: M. Hanner indicated that there was no assessment increase this year. A Reserve Study was completed and the recommendation was to increase funding to \$600-\$1000/month. The next Board may want to consider this recommendation. Water and Insurance costs have increased.

PRESENTATION OF SLATE OF CANDIDATES/NOMINATIONS FROM THE FLOOR

Five Positions on the Board open for election. Each Director serves a term of one year as per existing by-laws.

P. Swift (incumbent), M. Hughes submitted their names for election to the Board prior to the meeting.

**HILLER HIGHLANDS 1 ASSOCIATION
2001 ANNUAL MEETING
page 2 of 2**

Nominations from the Floor

The following persons entered their names into nomination: Steve Cobbledick and Nancy Platford (incumbent).

BALLOTING

R. Palmer-Ono and D. Reilly approved as tellers to tally ballots. N. Flanders motioned for a vote by acclamation. Miramonte instructed Association that a ballot vote was more prudent. Association over ruled Miramonte and homeowners voted by acclamation unanimously electing the four nominees. The excess income resolution also passed unanimously.

ITEMS FROM THE FLOOR Roger Baron discussed his experience with the falling siding and destructive testing that was done on his unit. Homeowners asked about destructive testing-who pays, why do it, etc...

R. Palmer-Ono mentioned that any homeowner who is experiencing window fogging problems to contact her.

ELECTION RESULTS

Patricia Swift	Elected 2001	Term expires March 2002
Nancy Platford	Elected 2001	Term expires March 2002
Mildred Hughes	Elected 2001	Term expires March 2002
Steve Cobbledick	Elected 2001	Term expires March 2002

ADJOURNMENT

MOTION: Moved, seconded that there being no further business the 2001 Annual Meeting be adjourned at 8:25PM. An Organizational Meeting of the Board to elect officers and update signature cards followed.

Respectfully submitted,

Ned Flanders, Secretary

Date:

MINUTES

Board of Directors, H.H. Association I
Thursday, April 5, 2001

Board Members Present: Nancy Platford, Tricia Swift, Steve Cobbledick, and Mildred Hughes at the home of Tricia, #7 Spyglass Hill.

Call to Order: 7:05 p.m.

Homeowners Forum: In response to a Memo from Diane Reilly the Board recommended that an Amendment to the already approved CC&Rs be attached for clarification on the issues related to laundry rooms and equipment under Units 42 and 48. Nancy will work with Diane on the Amendment. Tricia moved, Nancy seconded, to review the 3rd Amendment as related to the issue.

Correction to Annual Meeting Minutes: "2000 Accomplishments:... Basha thanked Miramonte for their services as well as the Board and the CC&Rs Committee. Motion to approve Annual Meeting Minutes passed. Organizational Board Meeting Minutes approved.

Landscape Committee: Basha Hanner present and reported that \$1422 landscaping between #53; completed. Basha took the initiative to authorize the balance of the budget plus bet \$188-288 to do a plant replacement at the entry to our street... Steve motioned to approve overage for landscaping. On April 4th, Mildred, Tricia, and Lin Yates walked the Spyglass landscaping areas to review needs. Basha will continue to serve as Landscape Committee Person, and Mildred, Vice President, will serve as Liaison from Basha to the Board. Tim, of the Highlands, has requested their landscaping supervisor to review and recommend plantings for the area below #44... the gully as it cascades into the picnic area... Evan and Nancy have made recommendations.

Treasurer's Report-Steve Cobbledick. No delinquencies. Operating and Reserve statements from Miramonte accepted by Steve and Board approves March Statement.

CC&Rs Report: Ned Flanders reported on deed revisions for #41 and copies of those deeds given to Tricia. Ned reported that Miramonte acknowledges the monthly payment schedule adjustments for billing...no change to the Annual Budget. Ned to meet with Mark to rework/make changes to p. 26 prior to final printing and binding of the completed CC&Rs. Each HO to receive one bound copy.

Management Items: Tricia is now storing 12+ boxes of the Spyglass HOA documentation. Ned has given Nancy, Secretary, 4 years of Minutes in appropriate binders. Destructive testing issue 'tabled' until June 7th meeting with Lin Yates present for discussion. Repairs to #38 completed. #5 water usage has doubled but non issue. Steve will continue to deal with the Highlands about an ongoing issue with water billing of a specific area...see Steve for details.

New Business: #61, the Geoghegans, have requested designated parking for their third car. Tricia to inform them that no additional reserved parking can be designated but that they are welcome to park in non reserved area. The Board needs to think about a Time Line for goal setting for 2001. We need to focus on establishing an evaluation procedure/criteria for such as related to our management company. Tricia announced that because of family demands she will need to find a replacement Board member to serve as President as she is unable to assume complete /comprehensive responsibilities at this time.

Meeting Adjourned 8:45pm...Next Meeting June 7th....



**HILLER HIGHLANDS PHASE ONE ASSOCIATION
MANAGEMENT UPDATE
JUNE 2001**

TREASURER'S REPORT: Lin Yates will be on vacation as of May 23, 2001. The Accounting Department will send you the May 30, 2001 financial statement under separate cover.

RESERVE STUDY UPDATE: Miramonte received a proposal from Reserve Data Analysis to conduct either a full on-site inspection of the Reserve components, cost \$738.00, or a compilation update in the amount of \$478.00. An on-site inspection was conducted in 2000. As there have been no major reserve component repairs or replacements since the last up date, only a compilation is recommended. (FYI – the Board has traditionally contracted for an annual update.)

MAINTENANCE ITEMS: Ekim Painting touched up the handrails as requested on March 16, 2001. There is a recurring problem regarding the balcony bolts. It appears that wind driven rain is getting behind the bolts, wetting the un-finished metal surface of the bolts creating rust. The rust then leeches from behind the bolts and stains the paint.

INSURANCE REVIEW: The Association's insurance agent, Jack Graham, met with Lin Yates on May 22, 2001 to review the Association's insurance policy that will renew on June 1, 2001. Farmers Insurance has increased premiums based on a three percent (3%) inflation factor across the board. However, the Agent was able to negotiate with the underwriters and was able to get the premium reduced to \$19,419.00. If the Board would like a complete copy of the policy, please advise me and a copy will be brought to the meeting.

LANDSCAPE CARE CONTRACT RENEWAL: Enclosed is a copy of Landscape Care's contract renewal. Effective May 1, 2001 the monthly maintenance fee will increase to \$1,155.00. This increase was anticipated and has been budgeted accordingly.

Prepared By: **Lin Yates, CCAM, Community Association Manager** Date: **May 22, 2001**

1225 ALPINE ROAD

ITE 206

WALNUT CREEK, CA 94596-4400

TEL. (925) 932-7100

FAX (925) 932-7150

MINUTES

Board of Directors, H.H. Association I
Thursday, April 5, 2001

Board Members Present: Nancy Platford, Tricia Swift, Steve Cobble Dick, and Mildred Hughes at the home of Tricia, #7 Spyglass Hill.

Call to Order: 7:05 p.m.

Homeowners Forum: In response to a Memo from Diane Reilly the Board recommended that an Amendment to the already approved CC&Rs be attached for clarification on the issues related to laundry rooms and equipment under Units 42 and 48. Nancy will work with Diane on the Amendment. Tricia moved, Nancy seconded, to review the 3rd Amendment as related to the issue.

Correction to Annual Meeting Minutes: "2000 Accomplishments:... Basha thanked Miramonte for their services as well as the Board and the CC&Rs Committee. Motion to approve Annual Meeting Minutes passed. Organizational Board Meeting Minutes approved.

Landscape Committee: Basha Hanner present and reported that \$1422 landscaping between #53; completed. Basha took the initiative to authorize the balance of the budget plus bet \$188-288 to do a plant replacement at the entry to our street... Steve motioned to approve overage for landscaping. On April 4th, Mildred, Tricia, and Lin Yates walked the Spyglass landscaping areas to review needs. Basha will continue to serve as Landscape Committee Person, and Mildred, Vice President, will serve as Liaison from Basha to the Board. Tim, of the Highlands, has requested their landscaping supervisor to review and recommend plantings for the area below #44... the gully as it cascades into the picnic area... Evan and Nancy have made recommendations.

Treasurer's Report-Steve Cobble Dick. No delinquencies. Operating and Reserve statements from Miramonte accepted by Steve and Board approves March Statement.

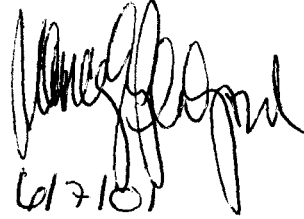
CC&Rs Report: Ned Flanders reported on deed revisions for #41 and copies of those deeds given to Tricia. Ned reported that Miramonte acknowledges the monthly payment schedule adjustments for billing...no change to the Annual Budget. Ned to meet with Mark to rework/make changes to p. 26 prior to final printing and binding of the completed CC&Rs. Each HO to receive one bound copy.

Management Items: Tricia is now storing 12+ boxes of the Spyglass HOA documentation. Ned has given Nancy, Secretary, 4 years of Minutes in appropriate binders. Destructive testing issue 'tabled' until June 7th meeting with Lin Yates present for discussion. Repairs to #38 completed. #5 water usage has doubled but non issue. Steve will continue to deal with the Highlands about an ongoing issue with water billing of a specific area....see Steve for details.



New Business: #61, the Geoghegans, have requested designated parking for their third car. Tricia to inform them that no additional reserved parking can be designated but that they are welcome to park in non reserved area. The Board needs to think about a Time Line for goal setting for 2001. We need to focus on establishing an evaluation procedure/criteria for such as related to our management company. Tricia announced that because of family demands she will need to find a replacement Board member to serve as President as she is unable to assume complete /comprehensive responsibilities at this time.

Meeting Adjourned 8:45pm...Next Meeting June 7th....



6/7/01





**HILLER HIGHLANDS PHASE ONE ASSOCIATION
BOARD OF DIRECTORS MEETING
THURSDAY, JUNE 7, 2001
7:00PM, 44 SPYGLASS HILL**

AGENDA

Subject to Change

- I. 7:00PM **CALL TO ORDER** – T. Swift

- II. **HOMEOWNERS FORUM** (Items From The Floor will be kept to 15:00 minutes. Following Homeowners Forum, Homeowners are welcome to stay and observe the remainder of the Board Meeting. However, they may not participate in the proceedings or discussions. Thank you for your cooperation.)

- III. **MINUTES** – N. Platford
 - 1. April 5, 2001 Meeting Minutes

- IV. **TREASURER'S REPORT** – S. Cobble Dick
 - 1. May 31, 2001 Financial Statement
 - 2. Aging/Delinquency Report
 - 3. Reserve Study Update

- V. **MANAGEMENT ITEMS**
 - 1. Maintenance Items
 - 2. Correspondence
 - 3. Informational Material
 - 4. Insurance Renewal

- VI. **UNFINISHED BUSINESS**
 - 1. CC&R Revision and Amendments– M. Hanner, N. Flanders
 - 2. Destructive Testing to Rule Out Hidden Construction Deficiencies
 - 3. Reorganization of Officers
 - 4. Goal Setting/Establishment of Time Lines
 - 5. Management Agreement – Refining Relationship
 - 6. Relationship with The Club Regarding Water

- VII. **NEW BUSINESS**
 - 1. Landscape Care Contract Renewal

- VIII. **COMMITTEES REPORTS**
 - 1. Landscape Committee
 - 2. CORE Committee

- IX. **NEWSLETTER ITEMS**

- X. 8:30 PM **ADJOURN**

1225 ALPINE ROAD SUITE 206
NEXT MEETING: _____ **LOCATION:** _____

WALNUT CREEK, CA 94596-4400
TEL. (925) 932-7100
FAX (925) 932-7150

Hiller Highlands Phase I Association Minutes of June 18th, 2001
Emergency Meeting; Present: Nancy Platford, Tricia Swift, Mildred Hughes, Fred Booker, Steve Cobbledick, and Roger and Faye Baron.

Minutes of June 7th were corrected page 1...Highlands CC..from #41 to #44
Otherwise, Minutes approved. Tricia Swift tendered her resignation...Nancy moved to accept, Fred seconded. Motion by Mildred to appoint Fred Booker a Board Member and to acknowledge him as President for 2001-02 as Tricia's replacement. Nancy Platford will resign at the next meeting as she has moved to Hiller Drive, Phase 5...we need another Board member so please volunteer .

Roger and Faye Baron gave an update on their deck repairs. Roger wanted the Board to approve a consultant fee, Avilar, to oversee/evaluate the Butler repairs . The Board discussed the issues related to an expense paid for an outside consultant to further evaluate work that will be warranted by Butler, and voted not to further the Association's obligation between Butler and Baron. The Board has voted in favor of the Avilar destructive testing on five selected units to further the forensic element as per all units constructed by Butler.

The Board voted, and passed, that the CC&Rs, as they stand today, should be acknowledged and immediately printed for distribution to homeowners. The issues related to a description of usage, funding and maintenance, and ownership incorporation, will be described in an addendum/attachment to the existing CC&Rs.

Meeting adjourned at 7:40pm...

Nancy Platford, Secretary

[Signature]

HILLER HIGHLANDS PHASE I ASSOCIATION

SPYGLASS HILL

c/o Miramonte Company
1225 Alpine Road, Suite 206
Walnut Creek, CA 94596

BOARD OF DIRECTORS MEETING
WEDNESDAY, JUNE 7, 2001
6:30PM, 44 SPYGLASS HILL

MEETING MINUTES

BOARD MEMBERS PRESENT: Mildred Hughes, Nancy Platford, Steve Cobbledick
BOARD MEMBERS ABSENT: T. Swift
MIRAMONTE COMPANY REPRESENTED BY: L. Yates
MEMBERS PRESENT: Basha Hanner, Mark Hanner, Diane Reilly

CALL TO ORDER

The Meeting was called to order by the Vice President, M. Hughes, at 7:09PM. Agenda Amended.

HOMEOWNERS FORUM

Architectural Request #41 – Satellite Dish Installation: Board reviewed letter from Owner requesting approval of installation on rear fence, including approval of neighbors who could view dish from their respective homes. **MOTION: S. Cobbledick moved, N. Platford seconded to approve the architectural request to install a satellite dish on the fence of #41 as written. PASSED**

Plant Donation #42: Unit #42 donated a Rhododendron shrub to the Association (plant is in the care of #41 at the present time). Landscape Committee shall meet with Landscape Care Co. to determine appropriate location for shrub. Landscape Committee will notify #41 to advise when installation shall take place.

Highlands Country Club: N. Platford reported that she has been in contact with the Club to request that the Club plant the hillside adjacent to the rear of #41. Club has declined to take action citing a lack of funding. Board instructed Miramonte to send a letter to the Club requesting future consideration. **MOTION: S. Cobbledick moved, N. Platford seconded to instruct Landscape Care Co. to bury the large chunks of concrete rubble and re-bar left over from the firestorm, on the hillside adjacent to #41, cost \$150.00. PASSED**

UNFINISHED BUSINESS

CC&R Revision and Amendments: D. Reilly and M. Hanner present to discuss additional covenants that require clarification and inclusion in the amended CC&R's; shared laundry rooms, assigned storage areas, exclusive use basements, three (3) right-of-way elevators, and storage cabinets. Board instructed Miramonte to contact attorney Ann Rankin to draft Exhibits (including map of garage and street parking assignments) to clarify assignment of the above exclusive use areas. M. Hanner reported that the adopted CC&R's, ByLaws and Articles still have not been recorded because of the need to clarify exclusive use areas. **MOTION: N. Platford moved, S. Cobbledick seconded to defer recording of adopted governing documents until exclusive use exhibits can be included in the CC&R's. PASSED**

Initials: 

COMMITTEE REPORTS

Landscape Committee: B. Hanner reported that Landscape Care has replanted some plants at the front entrance. LCC will replace five (5) failing plants that are under warranty by #1, LCC will bury concrete rubble rear of #44 adjacent to mosaic. Wasp nest by #44 has been partially removed. N. Platford will contact pest control to request complete removal of nest. B. Hanner reported that the Association is on target with the five-year landscape renovation plan. Planting of additional ivy will not necessary because ivy has filled in. Two outstanding proposals pending. One for installation of 15 five-gallon Rhododendron shrubs to replace failing Oleanders cost \$750.00. Discussion regarding cause of failing Oleanders may be due to over watering. B. Hanner will review with LCC. Another area that needs consideration, replanting ground cover at both entrances BI-annually as existing ground cover does not have a long plant life. Proposals are needed to continue to plant those barren East Side hillside areas.

— Landscape Care Proposal June 7, 2001 Drainage Rear of #33: B. Hanner reviewed LCC proposal to install two 3" perforated PVC pipes rear of #33 to drain the worst of the water surfacing on the hill. **TABLED.** Board instructed Miramonte to contact Phase III Landscaper and request they repair of a broken irrigation head upper hillside (Marlin Cove), rear of #33, and reduce irrigation. Miramonte to request LCC meet with Phase III landscaper.

Retaining Wall Rear #9: Board reviewed letter from Owner requesting inspection of retaining wall rear of home, water seepage through concrete wall. Board instructed Miramonte to have Landscape Care contact Owner for access to rear yard to inspect hillside irrigation.

MOTION: M. Hughes moved, N. Platford seconded to have Ned Clyde Construction inspect the hillside rear of #33 and #9 and provide drainage recommendations. PASSED

CORE Committee: No report.

NEW BUSINESS

Landscape Care Contract Renewal: **MOTION: S. Cobbleddick moved, M. Hughes seconded to renew Landscape Care maintenance contract for one year, retroactive to May 1, 2001. PASSED**

UNFINISHED BUSINESS (continued)

Destructive Testing to Rule Out Hidden Construction Deficiencies: Board reviewed history of stucco failure on #38 and discussed legal counsel recommendations and Board's duty to have suspected deficiencies investigated. **MOTION: S. Cobbleddick moved, M. Hughes seconded to instruct Richard Avelar and Associates to conduct random destructive testing of stucco soffit areas. PASSED (N. Platford abstained)**

Front Entry Deck Repair #38: Board reviewed Richard Avelar proposal to provide expert services and an initial site inspection to review current conditions of existing deck at Unit #38 and provide periodic consultation throughout the repair process while #38 builder is repairing front entry deck. Discussion that front deck tile was installation as an improvement by previous Owner. No action taken.

Reorganization of Officers: N. Platford will resign upon sale of home. T. Swift will be resigning due to other commitments. Diane Reilly will consider serving on the Board again. **TABLED**

Goal Setting/Establishment of Time Lines: **TABLED**

Management Agreement – Refining Relationship: **TABLED**

Initials: 

Relationship with The Club Regarding Water: S. Cobbledick provided water consumption records. Units #1-11 (6 units) water meters are part of the Highlands Club water meter. Each December S. Cobbledick calculates the water usage of the six units and deducts the cost of water usage from the monies the Club owes to the Association for construction of the stairs. S. Cobbledick recommended that in the future, after the Club has repaid the loan to the Association in full, that a separate water meter be installed for Units #1-11.

TREASURERS REPORT

Reserve Study Update: **MOTION: S. Cobbledick moved, M. Hughes seconded to have Reserve Data Analysis conduct a Reserve Study update, cost \$478.00. PASSED**

Fiscal 2002 Budget: Board requested Miramonte project the expenses through the end of the fiscal year and provide a preliminary budget for the August Meeting. S. Cobbledick and M. Hanner will review budget.

May 31, 2001 Financial Statement: S. Cobbledick reported that as of May 31, 2001 the total current assets are \$97,386.17. **MOTION: S. Cobbledick moved, N. Platford seconded to close the Bank of San Francisco money market account and transfer the funds into the NRIT account. PASSED**

Aging/Delinquency Report: One delinquent receivable as of June 7,2001.

MOTION: N. Platford moved, M. Hughes seconded to accept the Treasurer's Report as given. PASSED

MANAGEMENT REPORT

Insurance Renewal: Miramonte reported that the master policy has been renewed, annual premium \$19,419.00. Umbrella policy renewed, annual premium \$1,115.00.

Report accepted as given.

MINTUTES

MOTION: s. Cobbledick moved, N. Platford seconded to approve the April 5, 2001 Meeting Minutes as given. PASSED

NEWSLETTER ITEMS

None

There being no further business, the meeting was adjourned at 9:10PM. Next Meeting, Thursday, August 9, 2001, 7:00PM, #22.

Respectfully submitted and certified,

N. Platford, Secretary Date:



**HILLER HIGHLANDS PHASE ONE ASSOCIATION
MANAGEMENT UPDATE
JUNE 2001**

TREASURER'S REPORT: Lin Yates will be on vacation as of May 23, 2001. The Accounting Department will send you the May 30, 2001 financial statement under separate cover.

RESERVE STUDY UPDATE: Miramonte received a proposal from Reserve Data Analysis to conduct either a full on-site inspection of the Reserve components, cost \$738.00, or a compilation update in the amount of \$478.00. An on-site inspection was conducted in 2000. As there have been no major reserve component repairs or replacements since the last up date, only a compilation is recommended. (FYI – the Board has traditionally contracted for an annual update.)

MAINTENANCE ITEMS: Ekim Painting touched up the handrails as requested on March 16, 2001. There is a recurring problem regarding the balcony bolts. It appears that wind driven rain is getting behind the bolts, wetting the un-finished metal surface of the bolts creating rust. The rust then leeches from behind the bolts and stains the paint.

INSURANCE REVIEW: The Association's insurance agent, Jack Graham, met with Lin Yates on May 22, 2001 to review the Association's insurance policy that will renew on June 1, 2001. Farmers Insurance has increased premiums based on a three percent (3%) inflation factor across the board. However, the Agent was able to negotiate with the underwriters and was able to get the premium reduced to \$19,419.00. If the Board would like a complete copy of the policy, please advise me and a copy will be brought to the meeting.

LANDSCAPE CARE CONTRACT RENEWAL: Enclosed is a copy of Landscape Care's contract renewal. Effective May 1, 2001 the monthly maintenance fee will increase to \$1,155.00. This increase was anticipated and has been budgeted accordingly.

Prepared By: **Lin Yates, CCAM, Community Association Manager** Date: **May 22, 2001**

1225 ALPINE ROAD

SUITE 206

WALNUT CREEK, CA 94596-4400

TEL. (925) 932-7100

FAX (925) 932-7150

MINUTES PHASE ONE BOARD
Monday, August 7, 2000
(Preliminary report: not yet approved by the Board)

- I. Meeting was **called to order** at 6:45 p.m. Present were: B. Hanner, M. Hanner, N. Platford, and N. Flanders. T. Swift arrived at 7 p.m. N Platford had to leave at 7:22 p.m.
- II. It was MSP to **approve of the minutes** of the Board meeting on the June 12, 2000.
- III. M. Hanner presented the **Treasurer's Report**. He reports that all dues have been paid with the exception one HO who has not paid a returned check fee. There will be a full discussion of the budget at the next meeting of the Board.
- IV. The **Management Report** for the month of June was submitted in a handout by Lin Yates of Miramonte Co. It will be distributed to the Board. In addition, there was a walk-through inspection of the entire property made by B Hanner and Lin Yates of Miramonte on July 18th.
- V. **Unfinished Business** -----
1. Light shades for open garage: Basha will contact All Bay Electric. (Contact made Aug. 10th)
 2. Deck refinishing, #42-#48, is completed.
 3. Ned Clyde erosion project to divert storm water is completed, not inspected, not paid yet.
 4. Sealcoat for Spyglass is completed, hole not repaired yet, Miramonte will follow up. (The hole was completed August 8 and bill will be paid within 30 days.)
 5. **Homeowners who are Club members** are urged to write to the Board of Directors, Highlands Country Club, and urge them to repair the pathway from Spyglass down to the parking area. During the month of September, if there is enough support, the Club Board may choose to allocate between \$15,000 to \$20,000 in the 2001 budget which is to be prepared in November. **Now is the time to write.**
 6. The Board wishes to thank Mary Flanders, Mary Roth, and Ed Ono for help with the July 4th picnic.
- VI. **New Business** -----
1. N. Platford will look into a "class action suit" with respect to defects in the dip-tubes of our hot water heaters. HOs should expect information about making claims in the next few weeks.
 2. The Board MSP a motion to install a new plaque recognizing the members of the 1991-93 Board not to exceed \$200 to replace the old one which has not weathered well. B. Hanner will follow up. .
- VII. **Landscape Report** -----
1. Landscape plans for 2001 will be reviewed at the next Board meeting. Interested HOs should attend.
 2. The HO at #42 has requested removal of ground cover. B. Hanner has requested a bid from L.C.C. to spruce up this area. She will also work with the HOs at #42 and #48 to resolve improvements at both entrances
- VIII. **Revising the CC&Rs** -----
- Ann Rankin reports that she has finished the first draft of the Articles of Incorporation and the By-Laws. Rewriting the CC&Rs is still underway. There are a number of problems to be faced in revising the CC&Rs which will take time to resolve.
1. The CC&Rs of very few associations combine both Planned Unit Development (PUD) and Condominium deeds which are different.
 2. We need to check our current deeds to make sure they are consistent with "as-built" reality.
 3. The revised CC&Rs should also reflect current agreements about how space is shared. (e.g., shared laundry rooms; bills for utilities, shared basements, elevators, storage closets, expanded living areas not represented in current deeds, etc.) T. Swift will draft a letter to HOs addressing this.
 4. We need to reconsider how the cost of fire and earthquake insurance will be assessed to HOs.
- IX. **Adjourn** occurred at 8:20 p.m. Next meeting of the Board is scheduled for Thursday, September 7th at 6:30 p.m. at unit #45.

CLUB MEMBERS, REMEMBER TO WRITE TO THE CLUB BOARD

Sept 7, 2000
Ned Flanders

HILLER HIGHLANDS PHASE I ASSOCIATION
SPYGLASS HILL
c/o Miramonte Company
1225 Alpine Road, Suite 206
Walnut Creek, CA 94596

BOARD OF DIRECTORS MEETING
THURSDAY, AUGUST 9, 2001
7:00PM, 35 SPYGLASS HILL

MEETING MINUTES

BOARD MEMBERS PRESENT: Fred Booker, Steve Cobbledick, Judy Geohegan, Nancy Platford

BOARD MEMBERS ABSENT: None

MIRAMONTE COMPANY REPRESENTED BY: L. Yates

MEMBERS PRESENT: Mark Hanner, Sue Naylor

CALL TO ORDER

The Meeting was called to order by the President, F. Booker, at 7:01PM.

HOMEOWNERS FORUM

Reduction in Number of Board Members: S. Naylor inquired why the number of directors was reduced from four to three. F. Booker reported that M. Hughes resigned and N. Platford would be resigning upon conclusion of the evening's meeting. The ByLaws only require that three directors serve on the Board and the Board could accomplish their goals with three persons.

Board's Goals for Remainder of Term: F. Booker reported that the Board plans to get the governing documents recorded and distributed, Board would like to adopt a budget with no assessment increase and address landscaping issues.

Highlands Country Club: N. Platford thanked Miramonte for sending a letter to the Club regarding the landscaping and requested that the Board continue to pursue the Club to encourage them to landscape the hillside adjacent to #46.

MINTUTES

MOTION: S. Cobbledick moved, N. Platford seconded to approve the June 7, 2001 Meeting Minutes as given. PASSED

MOTION: S. Cobbledick moved, N. Platford seconded to approve the June 18, 2001 Meeting Minutes as given. PASSED

Board Members Resignation: **MOTION: S. Cobbledick moved, N. Platford seconded to ratify the acceptance of Mildred Hughes resignation from the Board of Directors and appoint Judy Geohegan to fulfil the remainder of Ms. Hughes term. PASSED**

MOTION: F. Booker moved, S. Cobbledick seconded to accept Nancy Platford's resignation from the Board of Directors upon adjournment of the meeting. PASSED

MOTION: F. Booker moved, S. Cobbledick to elect the following officers: President – Fred Booker, Secretary – Judy Geohegan, Treasurer – Steve Cobbledick. PASSED

Initials: *f a c*

TREASURERS REPORT

July 31, 2001 Financial Statement: S. Cobble Dick reported that total current assets as of July 31, 2001 are \$97,012.31; total net income -\$3,606.72. **MOTION: J. Geohegan moved, S. Cobble Dick seconded to accept the July 31, 2001 financial statement as given. PASSED**
Adopt Reserve Analysis Update: The July 16, 2001 Reserve Analysis Report as prepared by Reserve Data Analysis was reviewed. F. Booker reported that painting should have a remaining life of eight years (exteriors last painted in 1999), The remaining life of asphalt should be to 2004. Questions arose if the retaining walls were included in the additional common area structures insurance (it was determined later that they were). F. Booker questioned keeping the copy and fax machines in the Reserve fund if Miramonte was doing all the copying and faxing. Boards reported that they would review the analysis further and advise Miramonte what action to take in regarding to notifying RDA of changes.

Imperial Bank/Comerica Bank Signature Card Update: Miramonte notified the Board that Imperial Bank is being purchased by Comerica. Board instructed Miramonte to send updated signature cards when received from Comerica.

Preliminary Fiscal Budget 2002: Review of the preliminary Fiscal Year 2002 budget. F. Booker reported that he would meet with Landscape Care Company and EBMUD on August 18, 2001 to review the irrigation program in an effort to reduce water. Discussion regarding the 4% waste water treatment fee increase levied by EBMUD. It was noted that effective July 1, 2001, EBMUD increased fees 4% for wastewater treatment, the increase represents about \$95.00 in annual water costs.

Miramonte informed the Board that they would be seeking an increase in management fees effective January 1, 2002. Miramonte offered an alternative to full service management proposing to provide financial management services only. Board will meet to review proposals and budget.

Aging/Delinquency Report: Reviewed.

MANAGEMENT REPORT

Pest Control: Board instructed Miramonte to follow up with E. Pavone regarding rodent intrusion into her home.

Maintenance: Miramonte reported that the proposal from Ned Clyde Construction to repair the retaining walls at Units #9 and #33/35 is still outstanding. The contractor informed Miramonte that they are backlogged.

Recordation of Amended Governing Documents: **MOTION: J. Geohegan moved, S. Cobble Dick seconded to have Ann Rankin record the amended governing documents. Motion rescinded.** The Board stated they would take the necessary steps to have the Amended Governing documents recorded.

Construction Compliance Proposal For Stucco Soffits: **MOTION J. Geohegan moved, S. Cobble Dick seconded to approve Richard Avelar & Associates (Architects) proposal, dated July 27, 2001, for random sampling of four units for stucco soffit construction compliance, cost \$7,500. Estimate for General Contractor \$5,000 to \$7,500 to be billed directly to Association. PASSED**

Report accepted as given.

Initials: JAG

HILLER HIGHLANDS PHASE I ASSOCIATION
SPYGLASS HILL
August 9, 2001 Page 3. Of 3.

UNFINISHED BUSINESS

CC&R Revision and Amendments: Discussed under Management Report.

Destructive Testing to Rule Out Hidden Construction Deficiencies: Discussed under Management Report.

Reorganization of Officers: Discussed under Minutes.

Goal Setting/Establishment of Time Lines: No action taken.

NEW BUSINESS

Chain & Padlock South End Spyglass Hill: J. Geohegan volunteered to investigate alternatives to the chain across the south end driveway; new reflectors, bollards to be painted, new chain.

COMMITTEE REPORTS

Landscape Committee: No report.

CORE Committee: No report.

There being no further business, the meeting was adjourned at 9:00PM. Next Meeting scheduled will be a Preliminary Budget Meeting on Tuesday, October 16, 2001, 7:00PM at the Club followed by a meeting on Thursday, November 1, 2001, 7:00PM at the Club to pass the final 2002 budget. F. Booker will prepare notices.

Respectfully submitted and certified,

Judy Gohegan, Secretary

Date: 11/01/01

S: 118-0801 Minutes.doc/10/1/01 FB

NEWSLETTER ITEMS

The Board would like to welcome seven new residents to our street: Dawn & Steven Willoughby bought #26; Lois Gold bought #1 and Michele Lemarie bought #44; while Jessica & Matt Levy have settled into #62; and Dr. Robert Binder has moved into #20.

Judy Gohegan



**HILLER HIGHLANDS PHASE ONE ASSOCIATION
MANAGEMENT UPDATE
AUGUST 2001**

PRELIMINARY FISCAL YEAR 2002 BUDGET: Attached is the preliminary fiscal year 2002 budget. We have consulted with the vendors providing service to the Association and have projected any increase in fees accordingly. The Miramonte Company is requesting an increase in the management contract fee of \$25.00 per month (\$650.00 to \$675.00 per month), effective January 1, 2002. This is the first management fee increase requested since we began working with the Association. Like all other vendors we are faced with the same cost of living, fuel, labor and insurance increases. Based on the updated Reserve Study, the cash flow minimum contribution to Reserve is budgeted at \$420.00 per month. The budget projections are based on maintaining the current regular monthly assessments that were adjusted in April to reflect the hazard insurance allocation by unit size.

Please note that the projected expenses will exceed income by \$848.00 per month or \$9,516.00 annually, if the present assessment rate is not increased. In accordance with the Corporation Code the balance must budget. The Association can not knowingly operate in a deficit situation. Either expense will have to be reduced or the assessment contribution increased to balance the budget. In compliance with Civil Code, the 2002 budget must be adopted and distributed to the membership no later than November 15, 2001. (Miramonte's budget distribution deadline is November 10, 2001. Thank you.)

RESERVE STUDY UPDATE: Enclosed is the updated Reserve Study as prepared by Reserve Data Analysis. Based on the cash flow minimum summary the Reserves are 130% funded.

MAINTENANCE: An inspection request was submitted to Ned Clyde Construction on June 11, 2001 to inspect the retaining walls at Units #9 and #33/35. On July 10th Miramonte followed up with Ned Clyde Construction and was informed that the engineer the inspection request was addressed is no longer with the firm. The inspection request was redirected and a reply is still pending.

RECORDATION OF GOVERNING DOCUMENTS: Miramonte requests that the Board forward them copies of the recorded Articles of Incorporation and CC&R's and signed ByLaws. The Board may wish to personally deliver copies of the fully executed documents to the resident members and mail the documents to the non-resident members.

CONSTRUCTION COMPLIANCE PROPOSAL FOR STUCCO SOFFITS: Attached is a revised proposal from Richard Avelar & Associates for the random inspection of the stucco soffits.

Prepared By: Lin Yates, CCAM, Community Association Manager

Date: August 10, 2001

HILLER HIGHLANDS PHASE I ASSOCIATION

SPYGLASS HILL

c/o Miramonte Company
1225 Alpine Road, Suite 206
Walnut Creek, CA 94596

BOARD OF DIRECTORS MEETING
THURSDAY, SEPTEMBER 7, 2000
6:30PM, 45 SPYGLASS HILL

MEETING MINUTES

BOARD MEMBERS PRESENT: Basha Hanner, Mark Hanner, N. Flanders, N. Platford
BOARD MEMBERS ABSENT: T. Swift
MIRAMONTE COMPANY REPRESENTED BY: L. Yates
MEMBERS PRESENT: M. Flanders, A. Saint

CALL TO ORDER

The Meeting was called to order by the President, B. Hanner, at 6:30PM. Agenda Amended.

HOMEOWNERS FORUM

Elevator Agreement: The Board requested that A. Saint provide them with a copy of her elevator use agreement.

Homeowners interested in 2001 landscape improvements were invited to this meeting: M. Flanders asked if more ivy would be added to the strip at the north end of Spyglass. B. Hanner responded that the existing five-year landscape plan already includes this area for improvements scheduled in 2001.

MINTUTES

MOTION: N. Flanders moved, N. Platford seconded to approve the August 7, 2000 Meeting Minutes as given. PASSED

MANAGEMENT REPORT

Street Resealing Project: B. Hanner reported that she met with Rick Flores, Dryco. Dryco has agreed to reseal the asphalt patch were the soda can was removed from the asphalt. Miramonte instructed to withhold final payment until repairs are complete. **PENDING**

Rodent Abatement: Miramonte instructed to advise Owners that they should contact the City of Oakland Vector Control if they have problems with rodents.

Landscaping: Miramonte instructed to send a letter to #40 Spyglass Hill and advise Owner that the landscape contractor is instructed to only take direction from their Supervisor or the management company. Members need to work through the Board of Directors & the landscape chair concerning landscape matters.

Document Storage Update: **PENDING**

UNIFINISHED BUSINESS

All Bay Electric Carport Lighting/Light Shades: B. Hanner reported that the Board has authorized

Initials: _____

HILLER HIGHLANDS PHASE I ASSOCIATION
SPYGLASS HILL
August 7, 2000 Page 2. Of 3.

funds to renovate the florescent carport lighting opposite #45 (current lighting is shining into residences.) Proposal from All Bay Electric **PENDING**.

Ned Clyde Construction – Drainage Improvements Rear Unit #1: Miramonte reported that B. Hanner and Miramonte reviewed drainage improvements August 16, 2000 and it appears work done as per contract. Miramonte reported that reimbursement of half the cost of the improvements is due from Hiller Highlands Phase III.

Governing Documents Amendments: Miramonte distributed copies of the first draft of the amended documents to the Board. The Amendment Committee, M. Hanner, T. Swift, N. Flanders, will conduct the first review, N. Flanders will collate all of the Committee's comments. Target date for first reviews September 22, 2000.

Barriers on Path to Club: N. Flanders and A. Saint sent letters to the Club to lobby for a new path. N. Flanders will represent the Association at the Club's Budget meeting in November.

Water Heaters Class Action Suit: N. Platford sent the applicable forms to all members. Ms. Platford will file the Class Action claim on behalf of those individuals who have responded, by September 10, 2000.

Street Resealing Project: Discussed under Management Report.

Firestorm Plaque: **MOTION: N. Flanders moved, N. Platford seconded to authorize the Association to pay the full cost of replacement of the firestorm plaque, approximate cost \$281.00. PASSED**

N. Flanders to assist C. Mead in the installation of the plaque.

NEW BUSINESS

Correspondence from #42: Miramonte instructed to send a letter to the Owner of 42 Spyglass Hill and advise them that the Unit Owner is responsible for maintenance of any exterior alarm equipment. Owners are responsible for exterior painting.

LANDSCAPE REPORT

B. Hanner presented the proposed renovation plan for Fiscal Year 2001. Ms. Hanner stated that the plan has been modified to accommodate problem areas but is in line with the five-year landscape improvement plan that was proposed two years ago. Estimated total budget \$10,000.

NEWSLETTER ITEMS

Next Board Meeting. Proposed Fiscal Year 2001 Budget - possible monthly regular assessment increase effective January 1, 2000. Barriers along Clubhouse path – Spyglass Hill members need to write to the Club lobby for a new path. Amended Governing Documents contact N. Flanders 510-841-8371 regarding shared facilities. Firestorm Plaque installation. Exterior carport lighting improvements planned.

TREASURER'S REPORT

Fiscal Year 2001 Budget: Preliminary Fiscal Year 2001 budget reviewed. M. Hanner recommended that the monthly regular assessment be increased to meet projected expenses. The Association is spending funds for improvements to the common area and the goal is to continue the with the improvements program.

Initials: _____

HILLER HIGHLANDS PHASE I ASSOCIATION
SPYGLASS HILL
September 7, 2000 Page 3. Of 3.

Reserve Study Update: Miramonte reported RDA has completed the site review, the final report is **PENDING**.

August 31, 2000 Financial Statement: **TABLED**

Aging/Delinquency Report: No delinquencies at this time.

ADJOURMENT

MOTION: M. Hanner moved, N. Flanders seconded that there being no further business, the meeting was adjourned at 8:10PM. PASSED

Next Meeting October 12, 2000, 6:30PM, #45.

Respectfully Submitted,

N. Flanders, Secretary

Date:

S: 118-0900 Minutes.doc/lpy 9/9/00

Hiller Highlands Phase I Association

Board of Directors Meeting
Tuesday, October 16, 2001
7:00 PM Highlands Country Club

Meeting Minutes

Board members present: Fred Booker, Judy Geoghegan, Steve Cobbledick
Board members absent: none

Households attending: 5; 9; 22; 24; 31; 38; 45; 46; 59; 61; 55; 41; 35
Meeting Called To Order: 7:02PM

Old Business:

- 1) Motion to Approve Minutes of 9/12/01.
There was some discussion over the 2001 budget overrun as presented on 9/12/01 as to how The Association came to be so over budget.
Steve Motioned and Fred Seconded to approve minutes of 9/12/01.
- 2) Motion to approve withdrawal of \$10,000 from Reserve Fund on 8/27/01.
Discussion as to whether to assess homeowners the necessary amount to cover the \$10K and the needed funds for destructive testing or to raise dues with a line item to pay back the reserve fund over 5 years for all monies borrowed. It was pointed out by David Roth that this should be decided by the Board and not decided by homeowners as the board has the fiduciary responsibility to run the association in a responsible fashion. Also discussed was the need to raise \$15,000 for destructive testing. No action was taken and it was referred to the November 1 budget meeting.
Judy Geoghegan Motioned and Steve Cobbledick seconded to approve the transfer and withdrawal of \$10,000 from the Reserve Fund on 8/27/01.

New Business:

- 1) Motion to approve the change in the height of Deck railing at #1 Spyglass Hill from 42" to 36". Lois Gold the new homeowner of #1 Spyglass requested to lower her deck railing from 42 to 36 inches. She provided the Board with the approval of her neighbor, an architects statement that the 36 inch railing meets City of Oakland Code requirements and a copy of the pertinent code.
Motion by Judy Geoghegan to approve, seconded by Steve Cobbledick.
- 2) Motion to approve the installation of a satellite dish on roof of #20.

Joe

On 9/26/01 Diane Reilly requested that the Board approve the installation of a small satellite dish on the roof of #20.

Steve Cobbley motioned to approve and Judy Geoghegan seconded to approve the installation pending the approval of the owner and homeowners who could potentially have their views impacted by the dish: David Bent, owner; Diane Reilly; Robert Heymann; & Sue Naylor.

- 3) Discussed the questionnaire that was passed out with the 10/12/01 minutes. A total of 14 households responded to the questionnaire. Points of interest:
5 were willing to serve on the Board in the next 4 years, 7 were not;
9 respondents did not think we were getting our monies worth from management and 6 reported being unsatisfied with their interaction with Miramonte;
7 households wanted to return to self management, however, most of these were the same people who said they did not want to serve on the Board.
- 4) Volunteers to research hiring a new management company.
Tabled

Meeting Adjourned: 8:45 PM

Judy Geoghegan

We received 14 responses to the questionnaire

- 1) Would you be willing to serve on the Board some time in the next 4 years?
5 yes, 2 maybe, 7 no
- 2) With Management? Without Management? Either?
 1 yes 2 without 2 either
- 3) Would you be willing to volunteer for specific projects rather than serve?
2 maybe, 7 yes, 6 no
- 4) Do you feel we are getting our monies worth from Miramonte (about \$10,000 per year)?
2 yes, 3 maybe/don't know, 8 no
- 5) How has your interaction been with Miramonte?
1 good, 5 ok, 2 no contact, 6 poor
- 6) Are you in favor of raising dues to pay for outside management?
6 no, 2 yes, 2 perhaps but not for Miramonte, 2 if necessary
- 7) Are you in favor of raising dues and retaining outside management to handle our financial matters?
6 no, 2 yes, 5 if necessary
- 8) Or are you in favor of returning to self management as we previously were for 30 years?
1 no, 7 yes, 4 if we can pull it off
- 9) Were you aware that the Association's attorney provides a free legal summary of all new laws pertaining to California Community Associations?
8 no, 6 yes
- 10) Were you aware of the services provided by the Community Association Institute (CAI, of which we are members) to inform Associations of services and help with management issues?
8 no, 6 yes
- 11) Would you be interested in attending a CAI meeting?
9 no, 3 yes, 2 maybe
- 12) Would you be in favor of autopay for monthly dues (bank automatically withdraws your funds)?
2 yes, 12 no
- 13) At the September 12th meeting it was expressed that the primary responsibility of outside management should be to protect us from litigation. Do you agree or disagree?
5 yes, 3 undecided, 5 no
- 14) Additional comments (use the back of the page if necessary):
1 comment - cut back on gardener