

BOARD SET TO AMEND "QUALIFICATIONS FOR BOARD MEMBERS"

In recent two mailings from the Board and Action Property Management Company Homeowners/Property owners received notice of **proposed changes** to the **Qualifications for Members of the Board of Directors**. The Board will take a final vote on these changes at the HOA Board meeting on March 31st. The Board decided not to go to the homeowners for a vote on these changes, only the Board will vote on these amendments to our Election Rules.

These proposed changes **make significant changes to who will be eligible to be elected to and serve on future Boards.**

Disqualifying Owners Who Do Not Live Here

The first mailing proposes **only owners whose primary residence is in the unit they own in Harbour Vista will be eligible. This will eliminate the owners of about 40% of the units in Harbour Vista**, this totally disenfranchises these owners from serving on the Board. We currently have one Board member who owns several units in the complex, and was the top vote getter in last year's election of Board Members. Also, the Editor of Harbour Vista News owns a unit in the complex but does not live in it. He too, was elected to the Board and served a term of one year before choosing to donate his time and resources to publishing the Harbour Vista News to have more communication about our community and HOA.

With these changes owners who do not live in the complex and want to serve on the Board will not be eligible.

Other Changes

Other changes that will apply to Owners who want to be a candidate for the Board are: **you must be current in paying all HOA dues/assessments for the three months immediately preceding the date of the election; and you must be in Compliance with all Governing Documents. Compliance means you would have to correct any violation of the Governing Documents of the HOA, within five days after receipt of notice of violation.**

You have time to let the Board know what you think about these changes. You can e-mail the Board or [Taylor DeLauder](mailto:Taylor.DeLauder@harbourvistanews.com) or you can attend the March 31st meeting and voice your opinion.

IF THE BOARD VOTES TO AMEND THESE ELECTION RULES THEY WILL APPLY FOR THE UPCOMING ELECTION OF BOARD MEMBERS IN JUNE.

THE BALLOT MAILING

The Ballot mailing you received asks you to **VOTE** on two changes to our current Bylaws.

- **The first change** would be to have Board members serve two year staggered terms. Currently Board Members are elected for a one year term. There have been times in the past when it was difficult to find owners willing to run for a seat on the Board and to serve for just one year. In the future we may have a problem finding qualified owners to serve on our Board. This change would eliminate having a slate of five new Board members being elected at a time. It can be a problem for the functioning of our HOA to have five new, inexperienced Board members elected at a time.
- **The second change** would **disallow cumulative voting**. Since the beginning of our HOA, we have had cumulative voting. Owners could cast their five for the candidates of their choice by voting one vote for each of the five candidates, all five of their votes for one candidate, three votes for one candidate and two votes for another candidate and so forth. With this change you can only cast one vote per candidate. You may choose to not use all five of your votes if there are only two or three candidates you want to vote for in the election in June therefore throwing away your other votes.

YOUR VOTE IS IMPORTANT!

Your vote on these changes to our Bylaws is important. Be sure to follow the instructions on how to vote and then mail your ballot. Follow the instructions carefully (so your ballot is not disqualified) and return it on time before the March 31st HOA Board meeting.

IF THESE AMENDMENTS PASS AT THE ELECTION ON MARCH 31ST. THEY WILL APPLY TO THE UPCOMING ELECTION OF BOARD MEMBERS THIS JUNE. ■

Editor's Notes:

1. Your VOTE is important. Although the Amendments to the Bylaws Ballot is long and contains a lot of legal language there are simply only two major changes. One is to have TWO YEAR STAGGERED TERMS and the other is TO CHANGE CUMULATIVE VOTING. The Board now has around thirty (30) non-voting, for quorum only PROXIES they can use to meet quorum at the March 31st counting of Ballots. It is all the more important that you return your Ballot so your choice on these amendments to be "AGAINST" OR "IN FAVOR" will be counted. For over 30 years our Election Rules have worked fine. Why change them now?? Who benefits from these changes? Is it the HOA Members or the HOA Board Members to secure their re-election? Harbour Vista News suspects it is the latter, therefore we urge our Readers to return your Ballot marked "**AGAINST**" on both Amendments
2. The Board will vote on the changes to **QUALIFICATIONS FOR BOARD MEMBERS** at the March 31st meeting. While you will NOT have a Vote on these changes you can let the Board know if you **AGREE OR DISAGREE** with these changes. Some homeowners in Harbour Vista have expressed their resentment of the number of condos that are renter occupied. They also express a concern that if the owners of the rental units are allowed to serve on the Board they might **raise our HOA dues**. This "**FEAR**" IS UNFOUNDED. The owners who have rental units in the complex have just as much concern that the complex be well maintained and that the HOA DUES be reasonable and NOT go up! They pay HOA dues just like Homeowners who live in the complex and will have to pay any special assessments that come in the future. I am one of those owners and this is how I feel. Also, some of these Owners might be willing to serve on future Boards and have experience and knowledge that would benefit our HOA. Lastly, it seems only **FAIR** that there be a **BALANCE** on the **BOARD** and Owners who have rental property in the complex can be a part of future Boards. They have an investment in the community!!

"We are all in this together™" -- Michael Barto

February HOA Meeting**BOARD MEMBERS QUALIFICATIONS REVISED**

**Asked for Voting Changes
No Parking Lot Re-Surfacing
Land Lease Extension on Hold**

There were fifteen people along with five Board Members and the Community Manager in attendance. The meeting convened at little later than 7:30 PM due to the Executive Session running a little long.

Board Members Qualifications Changed

At the February 24th HOA Board meeting the Board announced they were making changes to the qualifications for Board Members. This action was taken by the Board and would not require a vote of the HOA membership. When the ballots for the Election of Board of Directors are mailed out they will include the Qualifications to be eligible to serve on the Board. The Board President stated they will included: the person must be current on their HOA assessments, monthly dues, for a period of 3months prior to becoming a Board Member, only homeowners/property owners who live in the complex will be eligible to serve on the Board. (Close to 45% of the units in the complex are Non-owner occupied rentals.)

Ballot to Change Voting Mailed

The Board announced they have consulted with an Attorney and are proposing Amendments to the HOA Bylaws. A Ballot for the proposed Amendments will be mailed to the HOA membership. A vote or written consent of the HOA members representing at least a majority (51%) of the members is needed to amend the Bylaws. (see [Bylaws VII](#)). The Board is proposing:

1. Voting will not be cumulative. Each HOA member will have five votes to vote for candidates to the Board but you can only cast one vote per candidate. You would not be allowed to cast multiple votes for the same candidate.
2. The term of Board members would be two years. (Currently a Board member is elected for a term of one year.)
3. The Election of Board members will be staggered. Electing two members one year and three (3) members the following year. (this will mean there will always be 2 or 3 experienced members on the Board, there would not be a change of all five (5) Board members at the same election.
4. The proposed amendments to the Bylaws would take effect prior to the upcoming HOA Annual Meeting and Election of Board of Directors.

The Board Treasurer expressed his concern about the amount of HOA monies being spent by the Board on legal fees in conjunction to the Bylaws changes and advice on the changes for Board Qualifications and the cost for the recent Proxy Letter. Taylor DeLauder stated the attorney had provided a template free of charge for the proxy and that he had received around 30 proxies for Quorum purposes at this time.

Open Forum

Land Lease Extension: A homeowner asked the Board for an update on the Land Lease Extension. The Board president stated they were unable to get a Land Lease Committee set up at this time and therefore no progress had been made and it doesn't look like anything will be done on this issue in the near future.
Parking Lot: Several people expressed their concern that nothing has been done to repave or repair the
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News and Other Things for Harbour Vista Community Huntington Beach (go to <http://harbourvistanews.com>)

(HOA Meeting continued)
parking lots. The Board stated there was no money in the budget at this time to repave the parking lots and the Board will not entertain a special assessment to do the repaving. The Community Manager stated he is having an asphalt company give him a proposal for the repairing of some of the worst potholes and he should have that proposal for the Board to review by the next Board meeting. He stated because of the cost to completely repave the parking lots it will not be possible to do so for some time.

Landscaping

- The following landscaping items were approved by the Board:
1. Installation of new plants and a tree near the 4791 Lago building where there is just dirt.
 2. Clean up and add new plants at the fence area of Blackbeard Ln. and the Fire gate.
 3. Plant a tree at the Cabana gate entrance.
 4. Add soil and grass seed at low areas in the complex.

General Maintenance

The following Maintenance issues were approved by the Board:

1. Repair of roof leak in the 4831 Lago building.
2. Annual Inspection of the Fire Alarm System and new contract. (inspection hasn't taken place since 2011)
3. Repair of the boiler at 16551 Grunion.

Other

No liens were approved at this meeting. ■

Dinning Around Harbour Vista

Seafood "To Go Place"

by [Mary Williams](#)

Fish Camp is one of my go to places for fresh seafood. They are owned by Kings Fish House. They have their dining room service, take out and a small fresh seafood counter for purchasing to take home.



Prices are a little higher than a regular grocery store but the quality is far superior. You can buy as little or as much as you like. No pre-packaged here.

Two Dinning Areas

The restaurant has two dining areas, one on the inside and a larger area outside with tall windows and retractable roof. Space heaters are outside to combat the



chill of living at the beach. Fish Camp is a bit noisy but it is a laid back restaurant and the level is acceptable.

Wide Variety

A wide array of seafood is available and can be ordered as a sandwich, salad, plate or taco. and also ordered in 5 different preparations. There is something for everyone here. Soups, small plates, green salads, oysters, lobster, crab are also available.

Sand Dabs

I had the Sand Dabs with two sides, You have a choice of 9 sides to choose from. The Sand Dabs come with a lemon, butter, caper sauce are are very
(continue on next page)

(HOA Meeting continued) good. It is one of my favorite plates here. Another dish ordered was the deep fried shrimp and a salmon salad. No one had any complaints. I can also vouch for the fish and chips and oysters.

Odd Man Out

There is a burger and steak on the menu if you are the odd man out in your group of seafood lovers. A children's menu is available and a few desserts are listed.

Beer and Wine

There is a wide selection of beer and wine. Wine is sold by the glass, half bottle or full bottle. No corkage if you want to bring your own.

Cloth Napkins

You place your order at the counter and pay for it ahead of time and your food is delivered to your table. Cloth napkins are standard here. I appreciate that. I have a hard time with paper napkins in restaurants. It's one of my personal quirks. Fast food places are ok, but not a sit down dining room. A 4% surcharge is added to the bill for the wait staff. This I find reasonable as they do bring your food to the table, will get more water and condiments for you, etc. I always try to leave a few dollars more because the service is good.

Parking

Parking lot is very good size and there is parking on the side street. I have been at the Fish Camp many times when it is really full but the table turnover is good and usually not a long wait at the very peak of their busy time. ■

Fish Camp

16600 Pacific Coast Hwy
Huntington Beach 92649
562-592-2267
<http://www.samsfishcamp.com>
Open 7 days a week for lunch and dinner.

Property Listing (as of 5 March 2014)

[Active Listings](#)

Address	Type	Asking
none		

Pending Sales

Address	Type	Asking
4791 Lago Dr #102	3BD	\$249,900
16512 Blackbeard Ln #101	2BD	\$200,000

Closed Sales

Address	Type	Sold For
4861 Lago Dr #202	2BD	\$227,000 ↓
16551 Grunion Dr #101	3BD	\$185,500 ↓

Note: An up green tick (↑) means sold for more than asking price.
A down red tick (↓) means sold for less than asking price.

For Lease/Rent

Address	Type	Monthly	Contact
4831 Lago Dr #204	2BD	\$1700/mon	714-963-4500
16581 Grunion Ln #305	2BD	\$2200/mon	949-200-0549

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Letters to the Editor

I live in a three bedroom top floor unit. I noticed I have a crawl space to a very large attic space. I was wondering what the rules and regulations are regarding making this area into a storage area or some other use?

--- Paul with Attic Space

Dear Paul with Attic Space

The governing documents regarding modifications to a unit can be found on the Harbour Vista News website under the HOA Documents tab. Under that tab you will find the [HOA Rules and Regulations](#) and there you will find the [Architectural Rules and Regulations](#). Basically, if a homeowner wants to make a modification to their unit they should contact [Taylor DeLauder](#) at Action Property Management and tell him you want to submit an [Architectural Form](#) for review by the Board of Directors. You can also obtain a copy of this form under the Other Information tab on the Harbour Vista News web site. Taylor will be able to answer any question you have regarding the process to follow for approval of your Architectural modification to your unit.

The Harbour Vista Rules and Regulations state that any modifications must be in compliance with the [CCandRs Section 4.02](#). You can also take a look at the [CCandRs Section 8.05](#) and [CCandRs Section 1.42](#) on the web site.

I spoke with a couple of former Board Members who said there were modifications made to units, in the past, that had permits from the City and Approval from the Board. But there may be units where the owner did not have Permits or Approval from the Board for modifications to their unit. This could be a problem for these homeowners should they decide to sell their unit. They will have to declare the modification to their unit as "non-permitted" and "not approved" by the HOA. Potential Buyers may not want to purchase a unit without the proper HOA Board Approval and City Permits.

I hope this information and places to find the governing documents for modifications to units is helpful.

-----Michael Barto

To Ask a Question of Harbour Vista News: Simply [email](#), call (714-883-1949) or send a letter. Remember: "We are all in this together™".



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Publisher/Editor
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Harbour Vista News mandate is to provide news and community information for the owners of Harbour Vista properties in Huntington Beach. Contributions and letters to the editor are welcome.

Harbour Vista News provides a FREE SERVICE to owners, property managers or Realtors to announce units for lease or rent at Harbour Vista Properties in our "[Property Information](#)" Section. Contact us either by [email](#) or telephone 714-883-1949 to post the information.

Upcoming HOA Meetings
Cabana Club House
March 31, 2014 at 7:30pm