

# seashore news

Published Monthly by Niguel Shores Community Association

[www.niguelshores.org](http://www.niguelshores.org)

November 2003

Issue 361

## IN THIS ISSUE:

<b>Board Actions .....</b>	<b>2-3</b>
<b>From the Helm .....</b>	<b>1-2</b>
<b>Garden</b>	
<b>Club.....</b>	<b>6</b>
<b>Landscape Committee ..</b>	<b>4</b>
<b>Library News .....</b>	<b>7</b>
<b>Mens Club .....</b>	<b>5</b>
<b>Mens Golf .....</b>	<b>5</b>
<b>Message from the</b>	
<b>GM.....</b>	<b>3</b>
<b>Neighborhood Ads.....</b>	<b>7</b>
<b>November</b>	
<b>Calendar.....</b>	<b>12</b>
<b>NSCA Directory.....</b>	<b>11</b>
<b>Page Turners.....</b>	<b>7</b>
<b>Potluck.....</b>	
<b>6</b>	
<b>Recreation Committee ..</b>	<b>4</b>
<b>Traffic and Safety .....</b>	<b>4</b>



## FROM THE HELM

### RIGHTS & RESPONSIBILITIES

More than a destination at the end of the day, Niguel Shores is a place you want to call home and where you feel at home. Being part of a community means sharing a common desire to promote harmony and contentment with your neighbors. This goal is best achieved when homeowners, non-owner residents and association leaders recognize and accept their rights and responsibilities. In all cases, this entails striking a reasonable, logical balance between the best interests of individual homeowners and those of the community as a whole. There is a difference between living in a community and being part of that community.

As we move forward together to improve Niguel Shores, it is important to be realistic. However a community is managed, homeowner involvement is essential. We reap from our community what we are willing to put into it, in terms of both quality of life and our financial investment.

Like any endeavor involving people, community association living is not utopia.

With all the inherent advantages and there are many, community associations can face difficult issues, many of them connected with managing this critical and delicate balance. Resolve your own expectations. We have had our share of lawsuits-either between homeowners and/or against the association, disagreements between homeowners, residents' dissatisfaction with Board or committee actions, etc.

Some people bristle when faced with rules and regulations that must be enforced to maintain established community standards. No one knows more about this facet of running our association than the hard working members of the Architectural Control Committee and the Tree View Blockage Committee.

*From the helm continued*

### SEASHORE NEWS DEADLINE

Due to new printing procedures, the *Seashore News* must strictly enforce the deadline of the 15<sup>th</sup> of November for all December submissions.

### NSCA FORUM BOARD MEETING

Wednesday, November 19  
7:30 pm

**DANA POINT**  
CITY COUNCIL TV  
2<sup>nd</sup> and 4<sup>th</sup> Wednesday  
Start 6:00 pm  
Recess 6:30 pm  
Resume 7:30 pm

Our association is not unlike other human enterprise. Human beings—residents, management staff, committee members and the Board—may occasionally struggle in trying to balance what is right, fair and reasonable. However, our common bond is to create a community environment that promotes harmony, enhances communication, and reduces the potential for conflict.

The following basic principles related to community association living are but a few of the many that are worth noting:

Homeowners have the right to:

1. A responsive and competent community association.
2. Honest, fair and respectful treatment by community leaders and management staff.
3. Participate in governing the community association by attending meetings, serving on committees and standing for election.
4. Live in a community where the property is maintained according to established standards.

Homeowners have the responsibility to:

1. Read and comply with the governing documents of the community.
2. Maintain their property according to established standards.
3. Vote in community elections and on other issues.
4. Ensure that those who reside on their property (e.g., tenants, relatives, friends) adhere to all rules and regulations.

Community leaders have the right to:

1. Expect owners and non-owner residents to meet their financial obligations to the community.
2. Expect residents to know and comply with the rules and regulations of the community and to stay informed by reading the *Seashore News* and other materials provided by NSCA.
3. Respectful and honest treatment from residents.
4. Conduct meetings in a positive and constructive atmosphere.

Community leaders have the responsibility to:

1. Fulfill their fiduciary duties to the community and exercise discretion in a manner they reasonably believe to be in the best interests of the community.

2. Exercise sound business judgment and follow established management practices.
3. Balance the needs and obligations of the community as a whole with those of individual homeowners and residents.
4. Encourage input from residents on issues affecting them personally and the community as a whole.
5. Support events that foster neighborliness and a sense of community.

We are very fortunate, in that Niguel Shores embraces and practices many of these principles in our daily interaction and management of operations, but we are not perfect. Your Board, management staff, committee leaders and committee members are dedicated, with your help, to fostering the most vibrant, responsive and competent community association in America!

One final thought: “We learn wisdom from failure much more than from success; we often discover what will do by finding out what will not do; and probably he who never made a mistake, never made a discovery.” (Author Unknown).

Arnold Cordova, NSCA President



## BOARD ACTIONS

- ▶ The Board selected the architectural firm of Robert Borders and associates to develop a master plan to renovate the Community Center Complex for a total contract price of \$48,100.
- ▶ The Board awarded a contract to Converse Consultants to conduct the 2003 slope assessment study in an amount not to exceed \$6,900.
- ▶ Eucalyptus trees on the north and south side of Pacific Coast Highway have been removed and replacements have been planted.
- ▶ The Board requested a plan from the Landscape Committee to plant additional pine trees in the Mariner entry to Niguel Shores. Submittal of a plan is pending.
- ▶ Legal Counsel submitted and the Board approved an updated Litigation Disclosure Statement that advises there is no pending litigation against the Association.
- ▶ The Board conducted several violation hearings and imposed appropriate fines.

*Board Action Continued...*

▶ Jerry Pearl, Jack Christiansen, Boyd Van Ness and David Ontiveros were appointed to the Community Facilities Renovation *Ad-hoc* Committee by the Board.

▶ The Board directed Management to contact the owners of the various advertising dispensers and mail pickup boxes located at the Cabrillo entrance and request that they be removed from Niguel Shores property.

▶ Boyd Van Ness was appointed as a member of the Finance Committee.

▶ Communication Committee chair Kathy Jones, general manager Carol Porcella and Board liaison to the Communication Committee Mary Crowl have been appointed by the Board to supervise the content and administration of the Niguel Shores web site. Also appointed by the Board are Bernie Fornadley as webmaster and Forrest Owen as advisor.

▶ A contract was awarded to USIS for an amount not to exceed \$11,508 to install equipment that will connect the Manta and Garibaldi vehicle gates for remote controlled accessibility by the NSCA Office bringing them up to the standards of the other NSCA vehicle gates. The contract includes the cost to install fob-activated locking mechanisms at the Garibaldi pedestrian gate and one Manta pedestrian gate. For convenience, keypad locks will be installed on the second Manta gate on both sides of the gate. The code will be the same as the Stonehill pedestrian gate code. (Please call the office if you don't have the code number.) Installation is anticipated to be completed by November 15 at the very latest.

### **MESSAGE FROM THE GENERAL MANAGER**

UPDATE ON SEA TERRACE COMMUNITY PARK - Dana Point City planning staff has advised that the Conceptual Development Plan for Sea Terrace Community Park has been put on hold temporarily until additional public input can be obtained. The matter will be brought before the City Council at their October 22 meeting. However, plans to build the new library appear to be on track. According to staff, the new library facility will be a single story building relocated nearer to the existing library.

Arnold Cordova, NSCA President, is working with local community association leaders in a joint effort to promote a "passive use" park design and to oppose any proposed commercial uses of the park. He reports that the key issues are commercial use, objectionable noise levels and increased traffic. On August 27, Mr. Cordova, along with two other Association leaders affiliated with the Dana Point Civic Association and the Monarch Bay Association, presented their views on park development to the City Council in the public hearing session and also submitted a letter "for the record."

The NSCA Board of Directors encourages residents to write individual letters to the City Council members voicing concerns and to send a copy to the NSCA office. It is important to keep a paper trail that voices the objections of the key issues by NSCA residents for future use. The Board wishes to thank all NSCA residents who attended the City's public input sessions.

City Hall advises they will keep the Niguel Shores Board of Directors and NSCA Management apprised of any new developments as they emerge. Watch for updates in coming editions of the *Seashore News* and/or special fliers if important developments warrant notice between editions.

OPEN GARAGE DOORS – I have had several Homeowner Requests recently complaining of garage doors being left open for long periods of time. So I have driven throughout Niguel Shores in the past few weeks observing for myself if this is a random matter or worthy of a few words in the *Seashore News*. Turns out it's worthy of a reminder that *CC&Rs*, Article IX, Section 6 of General Restrictions states, "When garages are not in use, garage doors shall be closed." The *CC&Rs* were established for the benefit of all members within the Association to assist in preserving property values in the community and promoting harmony among neighbors. Residents' cooperation in complying with this section of the *CC&Rs* will be greatly appreciated.

#### **REMINDER**

**NSCA OFFICE WILL BE CLOSED  
NOVEMBER 27 AND 28 FOR  
THANKSGIVING**

## RECREATION COMMITTEE

The committee has been busy with fall activities including a potluck on November 16. The next meeting will be November 19 at 10:30 am. This is a change from the usual date so please take note.

The annual Christmas caroling program will be held December 14.

On January 29 a bus trip to the Palm Springs Follies is planned. Reservations are limited to 45 people, so please plan accordingly. Details for both events will be announced later.



## TRAFFIC AND SAFETY

1. With daylight savings time coming to an end, each resident should be sure to check light timer setting adjustments, especially for homes that have lighted house numbers.

2. Mariner Gate: There continues to be a high number of guests being turned away because no prior authorization was given for them to enter. Residents must notify the gate well in advance to allow the officers time to process guest information. Remember, residents must include their PIC identification number when calling in, or faxing in, a guest. A request is not valid without the proper PIC code.

## LANDSCAPE COMMITTEE

In October, twenty-four California Peppers, four Tipus and six Agonis trees were planted in the Coast Highway area. Also, fall is here and leaves are falling. Please keep residential driveway areas free from leaves. Trees and shrubs should not be allowed to grow against a neighbor's property.

## WWW.NIGUELSHORES.ORG

Log on. Check it out. It's our web site. Discussions are being held by a recently appointed sub-committee of the Communication Committee to expand the web site and make it a more immediate communication tool for homeowner use. The sub-committee consists of the chair of the Communication Committee Kathy Jones, the Board liaison Mary Crowl, the general manager Carol Porcella, the

webmaster Bernie Fornadley, and Forrest Owen, the advisor. Bernie does the technical work of maintaining the site and has been generous with his time and expertise since its inception. We have, also, Jeff Beresford to thank for his company's generosity in providing the site for the Association.

On the web site you will find NSCA documents, forms, the *Seashore News*, photographs of events, information about the proposed Community Center renovation, links to other web sites, etc.

Get in the habit of looking at it and send us your suggestions of what you would like to see on the site as we continue to develop it.

## VOICE OF THE PEOPLE

Letters are welcome and limited to 200 words, typed if possible, including name, address and phone number of writer. Refer to NSCA Rule #5221,2,3. Submissions are due on the 17<sup>th</sup> of the month except in Feb., Nov. and Dec. when due on the 15<sup>th</sup> of the month.

*To our family and friends at Niguel Shores,*

*It is with deep sorrow to inform you Dale Baltimore passed away on Friday, September 26. You should know how fondly he spoke of his friends and the staff, and how much he enjoyed the dinners and social occasions he attended there. Dale was very proud of his many years of volunteer work with the Niguel Shores Homeowner's Association. Dale founded the Mens Club and also served as President. He was a member of the Tree View Blockage Committee and Road Sign Restoration Project. He donated the El Camino Real bell. Dale was honored to be Grand Marshall in a Fourth of July parade, and perhaps his favorite designation was being honored as "Mr. Potluck." We know he will be missed by all who knew him.*

*Submitted by John Knauf for the Baltimore Family*

*I am requesting NSCA and Board support in endeavors to have the City reverse direction regarding its Sea Terrace Park Conceptual Development Plan. My reasons are:*

- *City reneging on a promise it made when the park redevelopment idea was first floated. At that time, the City promised that any future use would be passive.*

*Voice of the People continued...*

- *This plan would seriously degrade our Niguel Shores environment, health and general quality of life through: many-fold increases in traffic on Niguel Road and at the intersection in front of our main entrance resulting in noise pollution, air pollution, light pollution from putting course and amphitheater performances and traffic congestion.*
- *Financial burden to be imposed on all Dana Point property owners through the imposition of proposed long-term bonds, the retirement of which could add significantly to our property tax. I believe that this financial burden is particularly inequitable, as demonstrably the greatest proportion, if not the majority, of the people using this park will be either from out of the area, non-property owners (the rental complex across the street, for example), or persons without such facilities currently available to them (unlike we, who already pay for them).*

*Peter R. McWilliams*



## MENS CLUB

The Niguel Shores Mens Club meets in the multi-purpose room on the first and third Tuesday of each month for breakfast, fellowship, a short business meeting and a guest speaker.

On November 4, the program speaker will be Dr. Hamid Alhaleem, who will be discussing the history of Iraq. The speaker on November 18 will be mountain climber Lloyd Charton. Mr. Charton will discuss mountain climbing experiences, including a climb with Sir Edmund Hilary.

Start making plans early for the Mens Club Christmas Dinner Dance. It will be held on December 9 at El Niguel Country Club. More details later.

The Mens Club hopes that all men of the community will take the opportunity to hear these speakers and consider participating in club meetings, golf and other outside activities. Non-members who are interested are invited to come and visit. A Mens Club member will be assigned as a sponsor to help each guest get acquainted with fellow members and the many social activities sponsored by this club.

## MENS CLUB GOLF

Nineteen couples from Niguel Shores motored to Pacific Grove on September 23 to engage in golf and socializing. The first day of golf was at the Pacific Grove Municipal Course. Format for the day was a modified "scramble", which was won by Lin and Dick Brame and Susan and Boyd Van Ness. Second place went to Gretchen and Peter Rask and Sue Edison and Sy Feiner.

The following day the group played the Poppy Hills course at Pebble Beach where competition was held for the famous "Pearl Coat" and "Foxy Lady Wrap." Winner of the coat was Bob Enger, and Ceacy Johns donned the wrap.

The Awards Dinner featured Dan Johnson as M.C. The dinner also featured Peter Rask, Jack Sweeney and Hal Therolf. Music was played by Elaine Converse.

Aliso Viejo Golf Club - Team play (1 best ball net on par 5's, 2bb on par 4's, 3bb on par 3's) was held on October 14.

First Place went to Peter Rask, Ian Ross, Dick Johns and Jack Broering with a score of 119 - 25 under par  
Second Place went to were Bob Borland, Gene Lachel, Jack Sweeney and Don Gilb, 3 stokes behind the leaders.

Third Place was taken by the team of Don Beaver, Bob Page, Dick Brame and Dave Latham with 20 under par.

Closest to the pin went to Jack Sweeney and Don Beaver.



## WOMENS CLUB

The next meeting for the Womens Club of Niguel Shores will be held on Thursday November 13 in the multi-purpose room. Social hour begins at noon, followed by a luncheon at 12:30 and a short business meeting. The program will include Ms. Sandra Lacayo of The Max International speaking on the basics of Feng Shui and how to arrange homes, with special emphasis on decorating for the upcoming holidays.

Thursday December 4 is the date for the annual Christmas party hosted by the Womens Club.

*Womens Club Continued...*

Festivities begin at 5:00 pm in the multi-purpose room. Each lady attending is asked to bring an hors d'oeuvre. No dips, please.

All women residents and homeowners are invited to join the Womens Club. Call Betty Steinwinter at 240-4462 for details. The Womens Club would love to have you.

On Monday December 1, all board members are invited to help decorate the Christmas tree. Please come in the morning at 10:30.

The next board meeting will be held on November 6 at 4:00 pm in the conference room.

## WOMENS GOLF

The date of the next Fun Day for Niguel Shores Womens Golf is Monday, November 10. The golf captains for the day are Dee Johnston and Ruth Stahl. The luncheon hostesses are Ceacy Johns and Marian Pearl. Members who did not attend the last meeting, should contact one of the above names for a tee time and lunch reservation. For those non-members who wish to come as a guest, please call Chris Beaver, Hospitality Chair, 493-7430, or Pat Johnson, President, 661-2828. The welcome mat is always out.

The Christmas luncheon date is December 8. The cost will be \$23. Plan to bring a check to the November meeting.

The winners in October were by team effort. "Scrambling" to get the ball from tee to hole in the least amount of strokes, the team of May Gramer, Gretchen Rask and Carolyn Huxtable won first prize. Judy Boitano, Irene McDonald and Betty Lewis had a team low of 11 putts and won a prize for that. Esther Benedict, Ceacy Johns, Margaret Banerian and Ruth Stahl, as a team, picked up a birdie and a prize. Lee Sweeney won the prize for the longest drive all by herself, and Chris Beaver (on #6) and Linda Ross (on #8) each put her ball closest to the pin for a prize.



## POTLUCK

Sunday November 16 come and celebrate. It is a birthday party for everyone. Happy hour will begin at 6:00 pm and dinner will be at 7:00 pm. Please bring

6 *Seashore News*, November 2003

along silverware, plates, glasses, favorite beverage and \$1 per person.

For reservations:

A-E Bob and Lavonne Borland 248-1493

F-O Peter and Gretchen Rask 489-2259

P-Z Jack and Ann Christiansen 248-1962



## GARDEN CLUB

The next meeting will be held on Monday, November 17, at 12 noon in the multi-purpose room. The members will make wreaths. Information about supplies, equipment, etc. will be mailed, or e-mailed to all Garden Club members before the November meeting.

The December 15 meeting will be a potluck Christmas Party. Each member will bring a \$10 garden-related wrapped gift. More information will be given at the November meeting.

All residents of Niguel Shores are invited to join the Garden Club. For more information call either Janet Dohner at 489-9385 or Karen Linger at 481-9898.

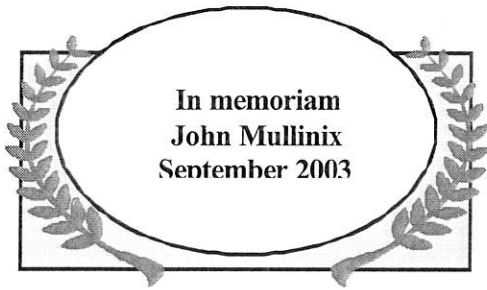


## Womens Club Annual Christmas Party

Thursday December 4 at the Community Center

5:00 pm - 7:00 pm

All Mens Club members and their ladies are also cordially invited.



## PAGE TURNERS

The book scheduled for the November 17 meeting is the classic *A Farewell to Arms* by Ernest Hemingway. Linda Ross will lead the discussion at the home of hostess Terry Scott, 33715 Halyard Drive. Refreshments will be supplied by Norma Armstrong. Our new meeting time is 10:00 am. Starting in January, Page Turners will meet on the fourth Monday of the month. New members are always welcome.

## WEDNESDAY BRIDGE

The Christmas party will be held on December 10 at 11:00 am. Lunch will precede bridge. New members are welcome. Play begins promptly at 11:30 am. For reservations call Helen Campbell at 496-4230.

### September 24

1. Helen Campbell
2. Helen Stevenson
3. Dorothy Knauf

### October 1

1. Gloria Thrailkill
2. Marion Evans
3. Dorothy Knauf

### October 8

1. Helen Campbell
2. Corinne Brunn
3. Frieda Baskin

### October 15

1. Helen Campbell
2. Anne Kernan
3. Kay Wittmack

## NEIGHBORHOOD ADS

Items for *Seashore News* ads must be submitted by the 17<sup>th</sup> of the month except in Feb., Nov., and Dec. when due on the 15<sup>th</sup> of the month. Include a check payable to NSCA, \$3 for a maximum of 30 words. Advertisers must fill out a form available at the Association office. Neither NSCA nor the *Seashore News* assumes responsibility of liability for quality for goods advertised. See Rule 5525

Remodeling Sale: 35" Toshiba TV and base \$350; 2 twin beds \$300; wing chair \$100; small grey office chair on wheels \$40; oak entertainment unit \$100; all in excellent condition. Call 489-1086.

Townhouse for rent: Lovely remodeled 2bdrm / 2bath plus den. Great ocean view. Available immediately. Call Terry, (626) 744-9680.

Full Ocean View, furnished rental: Halyard; 3 bedroom, 2 bathroom; small pet ok; gas BBQ; 2-car garage/driveway; excellent condition. Available monthly, through May 2004. Please call (626) 795-9155.

Carved hardwood Henredon headboard with cabinets, medium finish; 2 pcs 28x19x86, 1 pc 55x12x80, 1 pc 32x12x80; \$1,200 O.B.O. Phone Jim or Barbara, 493-2256.

Cadillac STS 1993: pearl white; North Star; original owner; power everything; loaded. 84K miles; smogged; new tires; excellent condition. \$7,500. 661-5307.

## LIBRARY NEWS

Celebrate Children's Book Week with "Free to Read", November 17 through November 22. Several programs are planned to make children's books and reading a celebration. In conjunction with Dr. Seuss' 100<sup>th</sup> birthday and in preparation for the new movie being released "The Cat in the Hat", the library will feature special books by the author. Children are encouraged to bring in a cat picture to be featured on the Dr. Seuss bulletin board for a Cutest Cat Contest.

An After School Club on Thursdays at 4:00 pm begins November 13 and is for kids 5 and up. Theme related crafts will go along with stories read. Registration required.

Merry Holiday Stories for toddlers / pre-schoolers on Tuesdays at 10:30 am begins November 25 and goes through December 16.

Come along in pajamas to our family Pajama Storytime the last Monday of each month at 7:00 pm. The Sunshine Readers share stories, songs and an occasional puppet show. All ages welcome and no registration required.



# November 2003 in Niguel Shores



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<b>Sheriff's Department: 770-6011</b> <b>Non-emergency services.</b>  <b>Dana Point Community Support Unit</b> <b>248-3580 Business Services</b> <b>8:00 am to 5:00 pm Monday-Friday</b>		<b>OCTOBER 2003</b> Sun Mon Tue Wed Thu Fri Sat <table border="1"> <tr><td></td><td></td><td></td><td>1</td><td>2</td><td>3</td><td>4</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td></tr> <tr><td>19</td><td>20</td><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td>30</td><td>31</td><td></td></tr> </table>						1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		<b>DECEMBER 2003</b> Sun Mon Tue Wed Thu Fri Sat <table border="1"> <tr><td></td><td>1</td><td>2</td><td>3</td><td>4</td><td>5</td><td>6</td></tr> <tr><td>7</td><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td><td>13</td></tr> <tr><td>14</td><td>15</td><td>16</td><td>17</td><td>18</td><td>19</td><td>20</td></tr> <tr><td>21</td><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td><td>27</td></tr> <tr><td>28</td><td>29</td><td>30</td><td>31</td><td></td><td></td><td></td></tr> </table>				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31			
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**NSCA DIRECTORY**  
 NIGUEL SHORES COMMUNITY ASSOCIATION  
 33654 Niguel Shores Drive, Monarch Beach, CA 92629  
 Office 949/493-0122 Fax 949/831-0116

**BOARD OF DIRECTORS**

Arnold Cordova	President
Mary Crowl	1 <sup>st</sup> Vice-president
Dick Johns	2 <sup>nd</sup> Vice-president
Dianna Cannariato	Secretary
Sam Johnson	Chief Financial Officer

**NSCA STAFF**

Carol Porcella	General Manager
Ivy Hsia	Controller
Alan Wensman	Maintenance Supervisor
Jamie Posey	Community Relation Manager
Silvia Reynoso	Administrative Assistant
Karen Decker	Receptionist
Scott Johnson	Maintenance Staff
Jerry Arroyo	Maintenance Staff

**NSCA COMMITTEES**

Architectural Control  
 Communication  
 Finance  
 Landscape  
 Maintenance  
 Recreation  
 Traffic and Safety  
 Tree View Blockage

**CHAIRPERSONS**

Marilyn Moon (acting)  
 Kathleen Jones  
 Dick Mackaig  
 Janet Mackaig  
 Don Johnston  
 Bob Borland  
 Martin Dedrick  
 Carroll Cox

**MEETINGS**

1:00 pm, 1<sup>st</sup> and 3<sup>rd</sup> Thursdays  
 See Calendar  
 See Calendar  
 3:00 pm, 2<sup>nd</sup> Monday  
 9:00 am, 3<sup>rd</sup> Friday  
 10:30 am, 2<sup>nd</sup> Wednesday  
 10:00 am, 1<sup>st</sup> Tuesday  
 1:00 pm, 2<sup>nd</sup> and 4<sup>th</sup> Mondays

**OTHER ORGANIZATIONS**

Sea Terrace Townehomes Assoc. I  
 Arnold Cordova, President  
 Nick Moffitt, 1<sup>st</sup> Vice-president  
 Bob Kennedy, 2<sup>nd</sup> Vice-president  
 Kathleen Allen, Treasurer  
 Don Beaver, Secretary

Sea Terrace Townehomes Assoc. II  
 Ed Adams, President  
 Gerlinde Duffy, 1<sup>st</sup> Vice-president  
 Adrienne Ruben, 2<sup>nd</sup> Vice-president  
 Colin Cato, Treasurer  
 Karla Sanders, Secretary

Womens Club  
 Liz Kelsch, President  
Mens Club  
 George Evans, President  
Family Club  
 Gay Powers, President  
Garden Club  
 Teri Sweeney, President

**Seashore News**

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The Communication Committee expends all reasonable effort to confirm the accuracy of statements in the *Seashore News* but assumes no responsibility for errors, omissions of fact or use of material that might be offensive in some way.