



GENERAL SESSION MINUTES
BOARD OF DIRECTORS MEETING
NIGUEL SHORES COMMUNITY ASSOCIATION
MARCH 13, 2024

APPROVED

CALL TO ORDER/QUORUM	President Cobb called the General Session of the Board of Directors (BOD/Board) of the NIGUEL SHORES COMMUNITY ASSOCIATION (Association) to order on March 13, 2024 at 6:00 p.m. in the Community Center Clubhouse, 33654 Niguel Shores Drive, Dana Point, CA.
BOARD MEMBERS PRESENT	Jim Cobb, President Rhonda Dunlevie, 1 st Vice President via Zoom Online Conferencing Mark Russell, 2 nd Vice President John Douglas, CFO Pat O'Brien, Secretary
STAFF PRESENT	Marla Miller, General Manager Karen Decker, Architectural Manager/Recording Secretary George Cooley, Facility Manager
OTHERS PRESENT	John MacDowell, Legal Counsel, Fiore Racobs & Powers

1. PUBLIC FORUM – 6:00 PM

Residents attended and addressed the Board.

2. APPROVAL OF MINUTES:

A. Approval of General Session Meeting Minutes from February 21, 2024

G031324-027 Motion made by Director Cobb, seconded by Director Russell to approve the February 21, 2024 General Session Meeting Minutes as written. Motion passed 5-0.

3. RECREATIONAL AMENITY UPDATE

A. Review/Discuss Monthly Progress Report

Gary Wilson, Sue Kichline, and Jeannie Sticher attended.

Gary Wilson provided an update regarding the project. Rain has caused delays in completing the project. There are minimal items that need to be finished but cannot be addressed until there are several consecutive days of dry weather. The estimated completion date for the project is now the end of April.

B. Review/Discuss Amenities Grand Opening Costs

The date for the grand opening event needs to be established. Event giveaways have been purchased and the Board determined the costs will be paid from the Community Relations budget. These costs will be disclosed in the Recreation Amenities budget.

G031324-028 Motion made by Director Dunlevie, seconded by Director Russell to approve the costs for the amenities grand opening celebration to be paid from the Community Relations budget and the costs disclosed in the Recreation Amenities budget. Motion passed 5-0.



4. CONSENT CALENDAR:

- A. Approve March 2024 Expense and Transfer (Actual)
- B. Approve Update Litigation Disclosure

G031324-029 Motion made by Director Douglas, seconded by Director Cobb to approve the Consent Calendar Items A. and B. (A. March 2024 Expense and Transfer (Actual); and B. Updated Litigation Disclosure). Motion passed 5-0.

5. FINANCIAL REPORTS:

- A. Accept Unaudited January 2024 Financials (January)
Ms. Miller provided a review of the Variance Report of Income and Expenses for January 2024. As of January 31, 2024 the budget is favorable by \$14,138.

G031324-030 Motion made by Director Douglas, seconded by Director O'Brien to accept the unaudited financials from January 31, 2024. Motion passed 5-0.

- B. Review the Check Register, General Ledger (emailed), Legal and Delinquency Report
- C. Approve Transfer of \$200,000 from Ameriprise Money Market to Pacific Western Operating Account to Cover Expenses
The Board is required to approve all expenditures and monetary transfers greater than \$10,000 or 5% of the total combined reserve and operating account deposits, whichever is lower.

G031324-031 Motion made by Director Cobb, seconded by Director Dunlevie to approve the transfer of \$200,000 from Ameriprise Money Market Operating Account to Pacific Western Operating Account to keep funds in Pacific Western Bank sufficient to cover expenditures. Motion passed 5-0.

6. NEW BUSINESS

- A. Review/Approve Harvest Proposal #120551 Tree Removal Moonsail Drive
The tree is located in the front yard and is dying. The owner is requesting removal of the tree. Ms. Miller confirmed that notices were mailed and no objections were received.

G031324-032 Motion made by Director Cobb, seconded by Director Russell to approve the Harvest Proposal #120551 in the amount of \$700 for removal of the tree on Moonsail Drive with cost to be paid from the tree removal budget. Motion passed 5-0.

- B. Review/Approve Rock Solid Geotechnical Services Slope Survey/Piezometer and Slope Inclinometer Monitoring
These services are performed every other year to inspect the slopes and to provide recommendations regarding maintaining the slopes in good condition.

G031324-033 Motion made by Director Dunlevie, seconded by Director O'Brien to approve the Rock Solid Engineering proposal for geotechnical services for Common Area slope survey, Peizometer and Slope Inclinometer monitoring in the amount of \$7,900 with costs paid from reserves. Motion passed 5-0.



Emergency Action Item Added to Agenda

The Board has been requested to take emergency action, as the item came up after the agenda was posted, regarding the representation letter from the Auditor which was required prior to the Board meeting.

G031324-034 Motion made by Director Douglas, seconded by Director Dunlevie to declare an emergency exists as the item could not reasonably have been foreseen, came to the attention of the Board after the agenda was posted, and requires immediate action to approve the letter of representation from the Auditor. The request to approve the letter was added to the agenda. The motion passed 5-0.

G031324-035 Motion made by Director O'Brien, seconded by Director Douglas to approve the letter of representation for the Auditor needed to prepare the audit. Motion passed 5-0.

7. CORRESPONDENCE

- A. Review/Discuss (Manta Court) Request for Reimbursement
The owner is requesting reimbursement for costs related to her unauthorized trimming of Association landscape. The request is denied. Management will respond to the owner.
- B. Review/Discuss (Amundsen Bay) Curbside Parking
The owner is requesting the Association paint the curb near their driveway red. The Association will continue to enforce parking rules and the request to paint the curbs is denied. Management will respond to the owner.

8. BOARD DISCUSSION

- A. Discuss Tennis Court Convert to Temporary Pickleball Court
Several residents attended the meeting to address their concerns regarding this matter during the Open Forum.
The use of the pickleball courts has grown. There are now long lines of individuals waiting to use the courts. Pickleball players are requesting temporary taping of Tennis Court #2 for pickleball play on Friday and Saturday mornings when pickleball use is high. Tennis players do not want to reduce the number of courts from 3 to 2 because tennis play is high on the same days. There were several comments made about excessive guest use of the pickleball courts. The Board would like each side (tennis and pickleball) to provide a reasonable solution to be reviewed by the Board prior to making a decision.

9. MANAGER'S REPORT

Ms. Miller reviewed items in the written Manager's Report for March 2024.
Mr. Cooley reviewed items in the written Facilities Manger's Report of March 2024.

10. COMMITTEE MINUTES

Receive and File Only

Committee	Date of Meeting Minutes
Architectoral	January 22, 2024
Communication	February 2, 2024
Finance	February 9, 2024
Recreation	February 6, 2024
Traffic & Safety	October 10, 2023



11. BOARD/COMMITTEE CALENDARS

March 2024

12. ADJOURNMENT

There being no further business before the Board, a motion was made and seconded to adjourn the General Session meeting of the Board of Directors at 7:22 p.m. The motion passed.

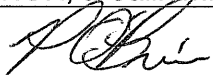
13. EXECUTIVE SESSION DISCLOSURE

Executive Session Disclosure [§4935(e) Executive Session Meetings]

An Executive Session is conducted to consider litigation, matters relating to the formation of contracts with third parties, member discipline, personnel matters, or to meet with a member, upon the member's request, regarding the member's payment of assessments, or to decide to foreclose on a lien.

An Executive Session was conducted on March 13, 2024. The following business was addressed:

- Approved the February 21, 2024 Executive Meeting Minutes
- Legal Counsel provided an update on pending legal matters
- Legal Concerns
- Review of Financial Reports
- Four (4) hearings were held

I do hereby certify that the foregoing Minutes are a true and correct copy of the General Session meeting minutes adopted by the Board of Directors of the NIGUEL SHORES COMMUNITY ASSOCIATION, a California Nonprofit Mutual Benefit Corporation.	
	4-10-2024
Secretary	Date Approved