

**SAN ELIJO HILLS HOMEOWNERS ASSOCIATION, INC.
P.O. BOX 232, SOLANA BEACH, CA 92075**

BOARD OF DIRECTORS' MEETING MINUTES

WEDNESDAY, DECEMBER 7, 2022

Present: President Hellinger, Secretary Basore, Treasurer Sagar, Director Costello, Director Wittig; and Members Punch, Andreason, Dorney (2), Beck, White, and Abbadessa (phone).

Absent: Vice President Carter

1. **Call to Order:** The meeting was called to order by President Hellinger at 6:32 pm.
2. **Establish Quorum:** A quorum of 4 out of 6 directors was established. Director Wittig arrived after approval of the minutes (making it 5 of 6) and then left after the slopes committee report.
3. **Meeting Minutes:** The November 2022 minutes were approved as previously distributed.
4. **Member Input**
 - Member Cohen submitted a written statement objecting to the proposed roof modification at 765 Santa Camelia, on the basis that a flat roof covered with tilted solar panels should not qualify as a pitched roof that meets the requirements of the PC&Rs. An additional concern was raised about the height of the proposed rear patio cover.
5. **Old Business**
 - The board was still unable to identify a candidate for the open board position, but will continue the search and will discuss it again next month.
6. **Architectural Committee**
 - 765 Santa Camelia: The homeowner at this address presented a plan to avoid the flat-roof prohibition in the PC&Rs by covering the flat sections with solar panels having a tilt that satisfies the pitched-roof requirement, arguing that the HOA usually ignores what lies beneath solar panels because it is the panels that are visible, not the underlying surface. A few Members and Directors argued against this interpretation. Member Beck felt strongly that it is still a flat roof, and it creates a box-shaped structure that enables a very high patio cover that would block his property's ocean view. He also noted that the Architectural Improvement form requires solar panels to be mounted parallel to the roof. Secretary Basore responded that California Civil Code §714 invalidates any HOA requirement that reduces solar output by more than 10%, as would occur if the solar panels were mounted horizontally. Discussion then centered on what dimensional scale distinguishes a corrugated (or accordioned) flat roof from a pitched roof. Secretary Basore proposed a minimum peak-to-peak (or valley-to-valley) distance of 10 or 20 feet as the minimum. Director Wittig noted that 1530 Santa Sabina has a 6-to-10-foot peak-to-peak separation. The homeowner at 765 Santa Camelia offered to submit a new plan that would comply with a 10-foot minimum.

- Committee approvals: Landscaping requests were approved at 1530 Santa Sabina and 717 Santa Camelia. Solar panels were approved at 1463 Santa Marta, as was a modification to the previously approved expansion at 624 San Mario.

7. Slopes Committee

- 1278 Santa Luisa: The homeowner at 1304 Santa Luisa requested the removal of a large Torrey pine tree that sits on the HOA-maintained slope behind 1278 Santa Luisa. The committee consulted an arborist, who determined that the tree is healthy. The HOA's longstanding policy is that a homeowner can ask the HOA to remove a healthy tree from the slope on their property, provided the owner pays the cost of removal and for planting of a young tree, approved by the HOA, in that vicinity. This request is unprecedented in that the party wanting the tree removed is not the owner of the slope where the tree stands. The tree removal cost would be about \$6k. After discussion, the board asked the committee to have the tree removed and replaced if the owner of the tree agrees and the complaining neighbor agrees to pay the cost. The tree's owners were present at the meeting and indicated they would provide written consent for its removal and replacement.
- Fall planting: Completed on November 14th, having reached the budget limit for this year.
- Annual tree maintenance: Cielo Tree Care will start this year's tree work on December 10th, beginning with removal of the dead eucalyptus on the slope behind 507 Santa Victoria.

8. Membership Committee

- By a vote of 4-0, the board selected June 7th for the 2023 annual meeting. Secretary Basore will confirm that Solana Vista elementary school is available on that date.
- Secretary Basore agreed to investigate the status of the HOA's corporate Statement of Information with the California Secretary of State, and to renew it if required.

9. Financial Report

- Fee Collection: An unusually large number of homeowners are more than 30 days overdue.
- Expenses: Expenses in November were under budget by \$4.5k. Year-to-date expenses were under budget by \$5.9k. However, large annual expenses for insurance (\$10.8k) and tree trimming (\$7.5k) will come due in the next few months. No funds were transferred from the checking account to the reserve fund this month.

10. **New Business:** President Hellinger expressed concern about the intensity of outdoor permanent lighting within the neighborhood. She agreed to investigate both enforcement and education approaches.

11. **Adjournment:** The meeting adjourned at 8:44 pm. The next meeting is scheduled for January 4th at 6:30 pm in the upstairs boardroom of the Lomas Santa Fe Country Club.