

The Broadmoor Breeze



August 2022

A Publication for the homeowners/residents of The Broadmoor Huntington Harbour Community Association

President's Message:

*I see trees of green
red roses too
I see them bloom for me and you
And I think to myself
What a wonderful place Broadmoor Huntington
Harbour is to live*

It is August and the weather has finally become summer with sunshine all day long. It is truly a wonderful world in our little piece of paradise. And there is a lot to be thankful for this Summer of 2022.

The massive painting/carpentry project is now down the backstretch and the finish line is in sight. As of this publishing, there are five residential buildings left to go and then the common areas to be completed. The reconstruction of the three lagoon bridges is moving swiftly with new lighting components being installed this week. Depending on when City building inspections can be scheduled and then approved, the work could be completed as early as the end of August. The Board wants to thank everyone for their patience during what has been the largest project ever undertaken in recent memory.

Once the bridges are completed, the focus will switch back to the last phase of the lagoon project. The final seal coat is expected to only take a few weeks to complete, which is the good news. The bad news is the City has informed the association that under current Orange County drought water restrictions refilling of the lagoon is prohibited. The board will further address this issue with City officials.

Although everyone has been impacted by the two large projects, regular routine day-to-day maintenance projects continue to keep our staff busy. The Landscape Committee has been hard at work finding ways to stretch every dollar to help enhance and restore a lot of the plants removed or trampled during the paint/wood

work project. The board appreciates and thanks them for their volunteer efforts.

Chris Gray and the Architectural Advisory Committee remain busy as usual. These volunteers continue to amaze us with their attention to details and their commitment to the integrity of our buildings. Thanks to all of you who serve and have served in this critical role.

All has been quiet lately with our Parking Committee but those committee volunteers devote a lot of attention to assuring that parking rules are adhered to. Finally the board would be remiss if it didn't single out Bill Selfridge who is the vital link in communications between the association and residents. For over 10 years, Bill has volunteered hundreds of hours as the administrator of GateKey, the vehicle entry software, and as webmaster of the association's website. His service has saved the association thousands of dollars for which all owners should be appreciative.

The board continues to look for ways to improve our quality of life in our piece of paradise. On behalf of all board members, I wish everyone a great rest of your summer season.

Cheers to everyone,
Ben Goldberg
Vice President

Restatement of the Covenants, Conditions, and Restrictions (CC&Rs) of Broadmoor

This is the third in a series of articles regarding the proposed restatement of Broadmoor's CC&Rs and Bylaws. Please review the June 2022 newsletter article (which explains the need to update and restate our governing documents) and the July 2022 article (which identifies several of the proposed changes to the CC&Rs and Bylaws). This month's article addresses the costs involved in this effort and the process for member approval.

Legal Fees

In 2020 the board contacted and interviewed several law firms for proposals to restate Broadmoor's CC&Rs, after which the board selected Roseman Law. Broadmoor then entered into a \$6,000 fixed-fee agreement for Roseman to prepare new CC&Rs and Bylaws, including three draft revisions, one or two town hall meetings, and preparation of the required ballot and voting documents for members. Printing and mailing of ballots and materials will add to the costs to this process. This project is not cheap and hopefully the time, effort and expense will not be a wasted exercise.

Member Approval

Broadmoor's current CC&Rs, drafted in 1974, require a 75% supermajority approval of members to amend the CC&Rs, whereas our Bylaws, also drafted in 1974, require only a simple majority approval to amend them. In today's environment, supermajority approval requirements are very unusual and almost all modern CC&Rs require a simple majority approval of members to amend them.

Town Hall and Draft Documents

In the next few months, the association will be sending all members a letter announcing the first town hall meeting to discuss the proposed restated CC&Rs and Bylaws. At the same time, drafts of the proposed documents will be posted on the association's website for members to review. (The proposed restated CC&Rs are approximately 140 pages and the Bylaws 48 pages, so it would be prohibitively expensive to print and mail ***drafts*** of these documents to each individual member.) Each member will then have sufficient time to review the drafts prior to the town hall meeting and will want to note any questions, concerns or suggestions they wish to address at that meeting. Members who cannot attend will be able to submit their comments to Powerstone in advance of the meeting.

Balloting

After the town hall meeting, the board will work with Roseman to incorporate any agreed upon changes resulting from members comments and then finalize the proposed restated documents. The final versions will then be disseminated and ballots sent to members. Due to the supermajority approval threshold, the association will continue to reach out to all members until a sufficient number of ballots are returned, at which time a special meeting will be held to open and tabulate the ballots. If, after counting all ballots, Broadmoor does not receive the approval of 75% of its members, then the association has several options: (i) re-double its efforts, hold more town hall meetings, make any necessary revisions and send out new ballots for member approval; (ii) file a petition in Superior Court for judicial approval to adopt the new CC&Rs; or (iii) simply drop the restatement effort. The best course will be to pursue either or both options (i) and (ii); however, both of these options will add sizable additional attorneys fees and association expenses. Option (iii) is the least desirable option since so much time, expense and effort will already have been expended and due to the fact that it is vital that Broadmoor updates its governing documents.

As all members should be aware, there are a very few vocal individuals whose mission is to disrupt and impede the progress of the association and its board and who may try to sabotage the restatement effort for selfish reasons. These individuals have repeatedly threatened litigation against the association and its members over issues such as enclosure of balconies, exterior modifications of the R-1 residences, furnishing 300Mbps high-speed low-cost internet to residents, and installation of air conditioners – all of which will be addressed by the updated CC&Rs. The proposed restatement should eliminate most ambiguity that currently exists, thereby leaving little room for any incorrect interpretations. This should help stop this small minority contingent from continuing to make false and misleading claims.

Paint Project Update; Resident Inspection

The painting of the residential buildings is 85% complete, after which the common area facilities will be painted (pool walls, bathroom and loft area, bridge walkway, tennis court walls, lagoon bridges, etc.). The entire project should be completed in October. The contract warranty covers materials, defects and workmanship after date of final completion as follows: stucco (12 years), metal (3 years) and wood (7 years).

Although board members conduct regular progress inspections of each building, residents are best able to notice any minor details missed by PrimeCo in the areas surrounding their unit. Please inspect your building's exterior for any stucco cracks, missed or unevenly covered paint areas, and any holes or openings that require caulking to prevent water and rodent intrusion. If possible, please mark the area with a piece of tape, take a photo of the location and email your concern to our property manager, Michele Rossi. The board will then have PrimeCo inspect and address any deficiency.

False Rumors

Residents often report false or misleading rumors circulated by certain individuals. Please don't exacerbate the situation by blindly passing these rumors on without verifying their validity. If you hear something that concerns you, please send an email to our property manager, Michele Rossi, who will check into the rumor and report back to you. Two more recent rumors reported are: (i) that a lawsuit for discrimination was filed against the association and not disclosed by the board; and (ii) that the Grimaud board representative's proposed rule changes include allowing R-1 residents to park on the wall side of Grimaud Lane. Both of these rumors are entirely false: No discrimination lawsuit has ever been filed against the association during its existence; and the proposed rule change only affects R-1 resident parking on the residence side of Grimaud Lane.

Termite Tenting

The following proposed dates for the next phase of termite tenting will be on the August board agenda:

Prep Meetings:

Monday - September 12th - 6PM

Monday - September 19th - 6PM

Phase I: September 27 – September 29

3191-3221 Francois Dr

3261-3291 Francois Dr

3199-3229 Moritz Dr

16541-16565 Tropez Ln

Phase II: October 11 – October 13

16535-16551 Bordeaux Ln

16590-16612 Bordeaux Ln

3271-3301 Moritz Dr

Residents who cannot attend a prep meeting should contact Sarah Allison at Fenn Termite and Pest Control at 714-736-9000 ext 113. Additional information on the tenting process can be found at www.fumigationfacts.com, and a video with instructions for bagging your household goods at this link: <https://youtu.be/goaszbjD-Y4>

BOARD OF DIRECTORS 2022/2023

President: Garry Brown
Vice President: Ben Goldberg
Treasurer: Annette Merriam
Secretary: Ronald Lee
R-1 Grimaud Director: Jordan Armitage

BROADMOOR CONTACTS

Broadmoor website: broadmoorhh.com
Front guard house: 562.592.4213
Powerstone Property Management: 949.716.3998
Property manager: Michele Rossi
mrossi@powerstonepm.com 949.535.4538
Maintenance issues: Oscar Hernandez
ohernandez@powerstonepm.com 949.508.1621
GateKey Vehicle Pass System: gatekey.com/resident-login

MONTHLY BOARD MEETINGS

Third Wednesday of each month at 6:00PM at Huntington Bay Club, 4121 Warner Avenue. All residents are encouraged to attend.

RESIDENT SERVICES CONTACTS

SPECTRUM COMMUNITY SOLUTIONS (\$53 of the monthly assessment includes 300Mbps internet, cable TV, DVR, internet modem/router & Showtime Premium Channels): 855.895.5302

BUTIN'S PLUMBING (for individual and common area plumbing issues): 714.670.1900

HUNTINGTON BEACH POLICE

Front desk/noise complaints: 714.960.8811
Parking control (non-emergency): 714.960.3998 ext #0

REPUBLIC SERVICES (trash and recycling):

Monday to Friday 7:30A – 5:00P: 714.847.3581

ORANGE COUNTY ANIMAL CONTROL

Monday to Friday 8:00A – 5:00P: 714.935.6848
After hours: 714.935.7158

COMMITTEES AND THEIR MEMBERS

* Chairperson
** Board Liaison

Architectural Committee (Condominiums)

Condominium Board Members

Architectural Committee (R-1 Properties)

R-1 Board Member

Architectural Advisory Committee (Condos)

* Chris Gray
Barbara Blodgett
Carlos Bosio
Don Kujat
Arlene Speiser

Inspector of Elections

Greg Copeland

Landscape Committee

* Suzanne Beck-Hammoud
Ellen Brown
Kim Hendrix
Cynthia Wityak
** Garry Brown

Parking Committee

* Jeff Pennington
Ellen Brown
Chris Gray
Bill Selfridge
Tony Sellas

Reserve Study Committee

Chris Gray
Stefan Steinberg
** Annette Merriam

The **Broadmoor Breeze Newsletter** is posted by the 15th of each month on the association's website www.broadmoorhh.com. A copy of the newsletter is included with monthly statements. Any comments or suggestions should be emailed to the Powerstone property manager.

Email alerts: Always be up to date with important association information by signing up for automatic email alerts on the website.