



**November 2010**

# **SURFSIDE III NEWSLETTER**

**Daniel Kessner – Editor**



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## **FROM THE BOARD OF DIRECTORS**

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### Ventura County Watershed Protection District Presentation

During our open meeting on Saturday, November 13, 2010, the VCWPD will be making a presentation on their study of the causes of the mosquito population that we have been experiencing at Surfside III. Because of the effect that this has on our quality of life, owners and residents are urged to attend this presentation.

### State of the Association

There was no quorum for the Annual Meeting, so the annual election was not held. It will be held at the November meeting. The Board did give a presentation on the successes of 2010 and plans for 2011-2012. There is a link here on the Internet which will allow you to view the presentation.

### Major Achievements 2010

- Completed plumbing renovation
- Began building envelope repairs
- Replaced elevator maintenance contractor and saved ~\$1,500
- Replaced landscape contractor, saved ~\$2,400 over two year contract, and improved services
- Completed sprinkler system upgrade
- Prevailed in or settled five lawsuits; no lawsuits pending

In the next two years the association will complete the following capital repairs.

- Restore building envelopes, Buildings 8 and 12 are underway.
- Exterminate termites
- Repair and restore stucco surface
- Paint buildings
- Replace wrought iron railings. Railings are being built.
- Remove false chimneys -- completed on Building 8
- Replace garage roofs
- Replace sheet metal flashing, edging
- Restore condo balcony decks and walkways
- Repair or replace townhouse decks
- Replace ~10% of building posts
- Retain a consultant to complete a comprehensive property maintenance plan. Plan will be bid and those bids will become basis capital budget.

In the next two years the association will fix the cash flow problems that have resulted from the high level of delinquencies. This will be done by increasing income and controlling expenses to generate cash surpluses in 2011 and 2012. As of September 30, there is a delinquency of \$308,000. For every dollar the association expects to receive we are getting \$0.90.

Because of the delinquencies the association has to hold checks that should be deposited into capital reserves. As of September 30, we are holding four reserve checks totaling \$182,000. These checks are written and signed, but cannot be deposited because there aren't enough funds in the checking account. At the end of September, there was \$9,800 in checking.

Due to the high level of delinquencies and not being able to put enough funds into reserves the following projects have been put on hold.

- Renovation of library-side clubhouse bathrooms
- Ground lighting replacement
- Renovation of clubhouse exercise room
- Access gates improvements
- Landscape renovation
- Building value for insurance purposes (Building values have not been increased in 6 years)
- Adding funds to 2011 budget to increase values, and again in 2012

To help deal with the delinquencies and to generate cash surpluses in 2011, the Board has made the following budget adjustments:

Lordon will reduce fees, saving \$6,000. The Board re-bid legal services, lowering the hourly cost. The estimated savings is \$38,000. Tree trimming will be charged to the capital budget, since trees will interfere with scaffolding and building repairs, we expect savings of \$12,000 in 2011. Reduction in maintenance supplies used will save \$4,000. The total savings is \$60,000

The following items will be increased in the 2011 budget: Insurance building value increased \$20,000. Water rate increase effective 7/1/11 is \$11,000. The total increases are \$31,000.

Overall savings of \$29,000 compared to 2010. These savings are not enough to hold off an increase in the monthly dues, especially since 2010 will finish with a significant deficit of more than \$100,000.

While the Board will continue to look to streamline expenses, dues will increase in 2011 and 2012. The monthly dues will stay the same until June 30, 2011 when the special assessment ends. On July 1, 2011, dues will increase to \$480 and possibly more if the cash position deteriorates further.

This \$60 increase is for two reasons: \$30 covers water and utility expense increases not covered in 2010 budget and increases expected in 2011. \$30 is to improve cash position and get caught up on payments to capital reserves.

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## **Proposed Changes to the Rules and Regulations**

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The proposed changes to the Rules and Regulations included at the end of this issue are being submitted for a 30 day comment period, which is required by the Davis-Stirling act before the Board can adopt them. Please send Ira Green your comments at [ira.green@surfsideiii.com](mailto:ira.green@surfsideiii.com). He will be assembling all the input for the committee responsible for these changes and the Board for the Rules & Regulations modifications.

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## **FROM THE ON-SITE OFFICE**

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### **CONSTRUCTION**

Because of the large volume of work being done in the units which have been recently purchased, we found that the large blue dumpster is filling up rapidly. As a result, it makes it difficult for the homeowners-tenants to use. If you see a construction crew in a

condo unit or townhome, please feel free to contact the on-site office at (805) 488-8484. We will advise that they need to make their own arrangements for clean-up. Additionally, if you see any construction materials thrown over the balconies or on the decks, please advise the on-site office immediately. Thank you in advance for your help.

## BARBECUES

For newcomers to SSIII, **open flame barbecues and smokers are prohibited** on the patios for health and safety reasons. Gas or electric barbecues are acceptable. Please abide by the Rules. Residents' gas grills, open flame barbecues, and smokers are acceptable in the **common area Barbecue area**.

## LOST AND FOUND

If you've lost a set of keys, check with the on-site office. If you think that you've left some clothing behind in the Clubhouse Pool area, give us a call. We can be reached at (805) 488-8484.

## WE WANT TO THANK EVERYONE WHO IS ATTEMPTING TO CONSERVE WATER. EVERY DROP HELPS!!!

By now, most of you are aware of how important **Water Conservation** is here in Port Hueneme, For those of you who are **new** to Surfside III, feel free to stop by the on-site office or go online to [www.waterbewise](http://www.waterbewise) to see how you can conserve water. Once again, here are some simple tips on how to save 20 gallons of water each day.

	<u>Estimated Savings</u>
Run the dishwasher only when full	<b>2-4.5 gal. per load</b>
Don't leave water running while rinsing dishes	<b>2.5 gal per minute</b>
Turn off water when brushing teeth	<b>2 gal. per minute</b>
Shorten showers	<b>2.5 gal. per minute</b>
Don't use the toilet as a wastebasket	<b>1.6 gal. per flush</b>
Wash only full loads of clothes	<b>15-50 gal. per load</b>
Fix a leaky toilet	<b>30-50 gal. p/day</b>
Fix a leaky faucet	<b>15-20 gal. per day</b>
Get a rebate for installing a new high-efficiency clothes washer	<b>20-30 gal. per load</b>
Replace older, high-volume flushing toilets	<b>2.2-3.8 gal. per flush</b>

## LANDSCAPING

We've heard from a number of homeowners with regard to the new landscapers, and we appreciate your comments. They are working hard to beautify the SSIII complex. If you have a comment or suggestion, we request that you address any issue directly with the on-site office, rather than talking with either the on-site maintenance staff or Valley Crest directly. Your request can more easily be directed through the proper channels. Thanks for your consideration. You can either call (805) 488-8484 or send an email to [scottwalkerss3@yahoo.com](mailto:scottwalkerss3@yahoo.com) or [carolshortss3@yahoo.com](mailto:carolshortss3@yahoo.com).

## TRASH

Occasionally, the on-site office receives reports that the recycle bins in the trash receptacles are used for raw garbage and electronic materials. Please be considerate and dispose of the proper materials in each receptacle. Any questions, just give us a call!

## RECREATIONAL AREAS

The basketball and exercise courts are available until 9 pm. At no time will skateboards, roller skates, bicycles, tricycles, big wheels or the like be allowed on these courts or in the grassy areas surrounding the recreational facilities. Any damage caused to the common area or landscaping will be subject to a fine, and the cost of repairs will be billed to the owner.

If you see any children around the common areas playing with sticks, please advise the on-site office or remind the children the

danger of harming their peers and causing potential injuries.

If you wish to use the recreational areas for any parties or events, please contact the on-site office in advance to reserve and to receive a hand-out of the Rules & Regulations.

### **CARPORT**

All numbered carport parking spaces are for the exclusive use of the owner, their guests, or lessees and by no other persons. If an unauthorized vehicle is parked in a carport space, they can be towed by the authorized person. For those authorized users of the carport, you can contact Payless Towing at (805) 485-4880. **Be aware that if the owner of the vehicle parked in your carport moves their vehicle before the towing company arrives, it is your responsibility to contact Payless Towing and advise them in order to avoid a service call of \$50 when they arrive on-site. Payless Towing will always advise you in advance of this charge.**

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### **J Street Canal Water Level**

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**The following is a response to communications from Surfside III residents from Carl Novak, Operations/Maintenance Manager, VC Water Shed District**

The Watershed Protection District (WPD) is closely monitoring the water level at the J-St. Drain and Ormond Beach. We have a camera at the pump station. It is not uncommon for the water level to rise at various times of the year due to the buildup of the sand berm that contains the Ormond Beach Lagoon. However, we share residents' concerns that the berm may become too high and not breach naturally before flooding occurs.

WPD is not allowed to arbitrarily cut the sand berm and release the water and have been ordered not to do this by regulatory agencies. This is because of concerns over the sensitive environmental conditions at Ormond Beach. We have been in close contact with these same agencies to discuss how best to proceed to prevent flooding. This may include emergency cutting of the berm, or grooming (lowering) the berm height to a safe level that would prevent flooding and allow natural breaching to still occur.

We are hoping to proceed with the second option (grooming) before emergency breaching becomes necessary. We will continue to have daily monitoring at J-St .Drain and watch the weather forecasts until either a natural or manmade breach occurs.

Please call or email me with any questions.

Karl Novak, P.E.  
Manager, Operations and Maintenance Division  
Ventura County Watershed Protection District  
(805) 672-2106 office

Note: On Monday, October 18, 2010, A VCWPD bulldozer, Karl Novak and a half dozen others were shaving the berm down to six inches above current water level (which is down a bit from the high last week). Karl noted this is the lowest they can go without a permit. Lots of sand is being pushed and it looks a lot more positive than last week.

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### **SECOND HOMES AT SURFSIDE III**

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The Surfside III Association needs to know how many of our units are kept as second homes; in other words, how many units are not occupied full-time by the owners and are not rented out. This is essential information for potential mortgage lenders. If your unit falls into this category, please notify the on-site office: 805-488-8484, or e-mail: carolshortss3@yahoo.com.

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### **COMMITTEE BRIEFS**

For more committee information visit <http://www.surfsideiii.com/docs/committee/committee.htm>

Please contact the committee chair to volunteer.

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**Neighborhood Watch Committee** – Val Lameka; 805-986-2855; [v.lameka@yahoo.com](mailto:v.lameka@yahoo.com)

There was an uptick of police calls in September, and fines continue in appropriate cases. Our watchers continue to do a good job of calling the Police Department when they observe suspicious activity. REMINDER: 986-6530 is the direct line to PHPD, and will usually get a fast response. For the residents who are out and about in the wee hours, please pay particular attention to the cars parked near Building 8 (the condo building closest to the clubhouse) for auto vandals. There have been some incidents.

Our next meeting will be on Thursday, November 4, 7 pm at the clubhouse. Questions or reports to

Valerie Lameka

Editor's Note: The great work being done by the Surfside III Neighborhood Watch Committee has been recognized by the Port Hueneme Police Department in a recent post on their website. Here is a quote, but please give it a good look on the website; link included below.

“Residents inside the Surfside III complex continue to assist by reporting suspicious activity at several of the apartments inside. This has resulted in numerous arrests from that location. The HOA has been made aware and the property owner contacted. I have also coordinated several probation and parole searches in our Beat ... “

[http://www.ci.port-hueneme.ca.us/Police\\_Department/Beats/Beat4.html](http://www.ci.port-hueneme.ca.us/Police_Department/Beats/Beat4.html)

**J Street Drain Committee** – Marion Kelemen 805-986-0303; [lighthousecrew@verizon.net](mailto:lighthousecrew@verizon.net)

Re: J Street Drain Project; VCWPD Mosquito Study and Presentation PLEASE ATTEND: Nov. Board Meeting: SAT. 11/13 @ 10 AM!

The J Street Drain Project [JSDP] Committee would like to remind everyone that the expansion of the J Street Canal is still a scheduled project – although the revised Draft Environmental Impact Report [DEIR] has not yet been made available to us.

The Ventura County Watershed Protection District [VCWPD] will be presenting their new Mosquito Study at the Board Meeting. The Committee is requesting that all owners and residents attend the Meeting to learn how the Study results will affect our concerns about the JSDP. Committee members will ask questions related to the project and mitigation of our mosquito problems.

According to weather records from our local U.S. Weather Service [USWS], Summer 2010 was the coolest meteorological summer on record in coastal Southern California. The detailed data shows consistent RECORD-SETTING LOW “highest-maximum temperatures” in our local area, and obviously, any mosquito data obtained during the past summer reflects very unusual weather. We’re assuming that both normal weather conditions and an alternate plan that addresses the backwater problem will be included in the Study recommendations.

We welcome any information that provides assurance that our health and well-being will be protected under the plans for expansion of the J Street Canal.

Thanks for your support! The JSDP COMMITTEE

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## FROM THE EDITOR

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Please send all newsletter submissions to me at [dkessner@csun.edu](mailto:dkessner@csun.edu). Please avoid any special formatting and use Arial 10-point font if you have it. The deadline is the 10<sup>th</sup> of each month for the following month’s issue. Owners and renters should be aware that the Newsletter is always available on the website: [www.surfsideiii.com](http://www.surfsideiii.com). This includes back issues.

The **Owners’ Corner** is a forum for all of you to voice your opinions on anything that might be of interest to everyone else. Please feel free to take advantage of this.

The City of Port Hueneme now has a free electronic newsletter with information on various city-related matters and events. To sign up to receive it, visit the city website: [www.ci.port-hueneme.ca.us](http://www.ci.port-hueneme.ca.us), then in the column at the far left, click on "Sign Up for E-News."

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And finally, the Board has recently received communications on various topics that reveal some widespread misconceptions circulating among owners. The following is being provided to set the record straight.

First of all, the current work being done on building envelopes is not part of the Special Assessment work; it is being paid for from our reserves. As part of the process, condo owners are required to clear **everything** from their balconies and from the area in front of their front doors. In other words, all of the areas outside of all units must be clear so that the work can proceed. Owners are being notified well in advance when their building will be worked on. Townhome owners must prepare their garages as well, as some work is being done in them.

To facilitate this, the association will pay for plastic coverings to be used to cover items in the garages if owners don't want to move items out of the garage. There will still be access to the washer/dryer. It will not be necessary to move items out of the garage. For those who do wish to clear their garages, the association will coordinate the acquisition of PODS at a significantly reduced rate. The association will not provide any labor. Our legal staff has advised it would be improper to assume liability.

On other issues, various inflated numbers have been cited for the cost of the recent re-write of the CC&Rs. The correct figure is \$6,000, which included the cost of the ensuing vote for approval. And finally the new security camera system, which among other things, photographs the license plate of every vehicle entering our complex, costs \$60,000, rather than numerous higher figures that have been going around.

Dan Kessner

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## CONTACT INFORMATION

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### MAINTENANCE/RESIDENT SUPPORT (PHONE NUMBERS AND E-MAILS BELOW):

Contact Lordon Management, Jennifer Critchfield; for e-mails always copy Donalea Bauer

Include your phone number(s) and/or e-mail for response before end of next business day. If you get her voice mail, but would like to speak with her directly, hit zero and talk to the operator.

If more urgent, call Donalea Bauer.

**Surfside III On-site Property Manager's Office: 600 Sunfish Way, Port Hueneme, CA 93041**

**Phone: 805-488-8484**

**Please note that calls regarding maintenance or billing should be directed to Lordon Management.**

#### **Surfside III Direct Contact:**

Surfside III COA  
600 Sunfish Way  
Port Hueneme, CA 93041  
<http://www.surfsideiii.com>  
[manager@surfsideiii.com](mailto:manager@surfsideiii.com)  
Phone: 805-488-8484

**Scott Walker, On-site Property Manager**  
**Carol Short, Assistant On-site Property Manager**  
**Management Company:**

Lordon Property Management  
1275 Center Court Drive  
Covina, CA 91724  
Phone: 800-729-5673  
For after-hours emergencies, dial 5 or  
626-771-1075

**Donalea Bauer, Vice President, community manager**

Email: [donaleabauer@lordonmanagement.com](mailto:donaleabauer@lordonmanagement.com)  
Phone: 800-729-5673 x 3342

**Jennifer M. Critchfield, assistant community manager**

Email: [jcritchfield@lordonmanagement.com](mailto:jcritchfield@lordonmanagement.com)  
Phone: 800-729-5673 x 3380

#### **Our Board:**

Bill Betts - President [bill.betts@surfsideiii.com](mailto:bill.betts@surfsideiii.com)  
Ira Green - Vice-president [ira.green@surfsidediii.com](mailto:ira.green@surfsidediii.com)  
Skip Perry - Treasurer [skip.perry@surfsideiii.com](mailto:skip.perry@surfsideiii.com)  
Michael Madrigal - Secretary [michael.madrigal@surfsideiii.com](mailto:michael.madrigal@surfsideiii.com)  
Bob Banfill - Director [bob.banfill@surfsideiii.com](mailto:bob.banfill@surfsideiii.com)

## **LORDON MANAGEMENT: OTHER DEPARTMENT EXTENSIONS**

All escrow matters: Kasey Lane, ext. 3339; [klane@lordonmanagement.com](mailto:klane@lordonmanagement.com)  
All insurance and collections: Patty Bosch-Barrios, ext. 3337; [pbarrios@lordonmanagement.com](mailto:pbarrios@lordonmanagement.com)  
Your account, billing address, etc: Liz Lopez, ext. 3319; [llopez@lordonmanagement.com](mailto:llopez@lordonmanagement.com)  
Liens, legal issues: Donalea Bauer (see above)

## **PROPOSED CHANGES TO THE RULES AND REGULATIONS**

Added To The Foreword:

It shall be an express condition of the leasing of any unit that the lessee read and agree to abide by all provisions of the CC&Rs, By-Laws, Rules and Regulations, and any and all other governing documents adopted by the Board of Directors of the Association. All unit owners are required to familiarize themselves and their lessees with the CC&Rs, By-Laws, Rules and Regulations, and all governing documents and/or the Davis-Stirling Act.

Added To Part I:

### **INTERNAL DISPUTE RESOLUTION POLICY**

Subject to certain exceptions, Civil Code Section 1369.510 et seq. requires owners within a common interest subdivision and the Association to participate in a form of Alternative Dispute Resolution ("ADR") prior to initiating litigation to enforce the Association's governing documents.

The form of ADR may either be binding or non-binding, at the option of the parties. The ADR statute also provides that the failure of either the Association or any owner to offer ADR prior to initiating litigation is a potential basis for having your lawsuit dismissed. Additionally, the statute further provides that any party's refusal to participate in ADR prior to the filing of a lawsuit may be considered by the court in its determination of the amount of attorney's fees awarded to the prevailing party.

In addition to the provisions of Civil Code Section 1369.510 et seq., the Association also hereby adopts the provisions of Civil Code Section 1363.830 and 1363.840 as a fair and reasonable internal dispute resolution procedure to attempt to resolve disputes between owners and the Association. Please review these code sections in the event you have a dispute with the Association.

Amended and Added To Part II: Rental Of Owners' Units

2. All owners are required to enter into a written lease and/or rental agreement with each tenant who rents the owner(s)' unit for any period of time. Owners are further required to provide a signed copy of the written lease to the Property Management Corporation within five (5) working days after the tenant(s)' occupancy.
3. Any lease for rental of a unit must include a provision that the tenant(s) acknowledge that the terms of said lease are subject in all respects to the provisions of the CC&Rs, the By-Laws of the Association, and all Rules and Regulations adopted by the Board.
9. Owners shall notify the onsite manager in writing within ten (10) days upon a vacancy in their unit(s).
10. The Association is in no way responsible for the security of owners, tenants, occupants, guests and invitees of owners and owners' tenants. There is no security furnished by the Association for any parties listed above or anyone else while at the association. Owners and tenants understand that they are solely responsible for any injury that may be sustained by the criminal acts of other owners, tenants or third persons while at the Association.
11. The Association strongly recommends that owners perform credit and background checks prior to renting his/her unit to a prospective tenant(s). All unit owners are responsible for ensuring tenant(s) compliance with the CC&Rs, By-Laws, Rules and Regulations, and all governing documents of the Association.