

CSU FULLERTON HOUSING AUTHORITY  
BOARD OF DIRECTORS – **SPECIAL MEETING**  
CP 250 CONFERENCE ROOM  
FRIDAY 01/25/08  
10:30 – 11:30 A.M.

**Present:** Jim Alexander, Bill Barrett, Bill Dickerson, Mark Stohs.

**Staff/Guests:** Ann Ehl, Frank Mumford.

**Excused:** Ted Bremner, Jay Bond, John Lawrence, Paul Rumberger.

I. CALL TO ORDER

Chair Mark Stohs called the meeting to order at 10:40 a.m.

II. ACTION ITEMS

A. APPROVAL OF JUDGE NETTING CONTRACT

Jim Alexander reported that there is one major change in the language of the contract distributed to Board members in the fourth paragraph under Assumptions. The language “Good digging conditions....will be cost plus 10%” was removed. Jim further added that Judge Netting, a local Orange County company, has worked and is familiar with the City of Fullerton. They will cover 100 feet from the ground up, adding 80 feet of netting to the existing netting. If necessary, 20-foot extensions can be added. The property on which the netting sits is owned by the US Army Corps of Engineers and is leased to the City.

Although Bill Dickerson believes that any damage resulting from golf balls to the University Heights property or person should be shared by the City, unfortunately, the City has not taken that view. Management is hopeful that the \$9800/unit park fees paid will encourage the City to reconsider.

Property damage caused by errant golf balls is estimated to be less than the cost of netting. However, the costs mitigating the liability due to injury makes the net installation a prudent choice. The netting has a one-inch (1”) mesh and a seven year warranty; the posts are made from galvanized steel.

**Bill Dickerson moved, Bill Barrett seconded and motion carried to adopt the following resolution.**

**University Heights – Judge Netting Contract**

WHEREAS the near-completion of University Heights appears to have actually increased the number of golf balls that find their way onto our property from Golfers Paradise Driving Range; and

WHEREAS CSU Fullerton Housing Authority (Housing Authority) seeks to minimize possible damage to University Heights homes or injury to homeowners and guests from said golf balls; and

WHEREAS conversations with the City of Fullerton (City) regarding a shared responsibility to correct the problem through the installation of a considerably higher netting have proved encouraging; and

WHEREAS the review of competing proposals from two of the major netting companies suggests that the best solution at the most reasonable price is found in the attached proposal from Judge Netting Inc; therefore,

BE IT RESOLVED, that the Board of Directors of the CSU Fullerton Housing Authority authorizes the Executive Director to execute the enclosed contract in the amount of \$52,400 by and between the Housing Authority and Judge Netting, Inc., effective immediately.

Though not present, Bill Dickerson reported that via email, John Lawrence abstained from voting on this matter; while Ted Bremner and Jay Bond voted to approve. Of those present, the vote was unanimous.

B. APPROVAL OF SALES/MARKETING AGREEMENT

Bill Dickerson reported that the original DSA (Development Services Agreement) included a 2% sales and marketing fee for each home. Sales activities generated by Valeo have been insufficient. Recently, Bill was referred to a sales and marketing company, with whom he's had conversations. Coincidentally, that same day, he also received inquiry from RE/MAX of North Orange County (NOC) with a proposal to provide similar services. RE/MAX NOC offices are located at the base of the hill leading up to University Heights; as such, they receive a "handful" of inquires on a weekly basis.

If we decide to approve the agreement with RE/MAX NOC, Valeo has agreed to refund the 2% sales and marketing fee assessed to each home. For that same 2%, RE/MAX will market and sell the homes. Their proximity to the site and the attached agreement shows promise. They have agreed not to market the homes to the public at large and only to the Housing Authority's partners.

Jim Alexander added that Adam Brett (of RE/MAX) is homes.com's top salesman nationwide. These fees of 2% are all inclusive; Ultimate (the other marketing company with whom Bill has had discussions) were 2% plus costs. Furthermore, RE/MAX has agreed to stage a model home.

**Bill Barrett moved, Jim Alexander seconded and motion carried to adopt the following resolution.**

### **University Heights – RE/MAX North Orange County Agreement**

WHEREAS the recent “near” completion of University Heights in October 2007 has culminated in the sale of 14 homes (with two more completions scheduled within the next two weeks); and

WHEREAS the CSU Fullerton Housing Authority (Housing Authority) had originally contracted with Valeo Companies for the sales and marketing of the homes as part of its Development Services Agreement; and

WHEREAS the scheduled completion of the project for February 28, 2008 has prompted Valeo Companies and the Housing Authority to remove the original 2% sales/marketing fees from all unsold homes, transferring the sales/marketing risk to the Housing Authority; and

WHEREAS the Housing Authority has recently received two outstanding sales/marketing proposals seeking to sell the unsold homes; and

WHEREAS what appears to be the stronger of the two proposals was submitted by RE/MAX North Orange County, a real estate sales and marketing company situated on Brea Boulevard, immediately below University Heights; therefore,

BE IT RESOLVED, that the Board of Directors of the CSU Fullerton Housing Authority authorizes the Executive Director to execute an Agreement substantially similar to that which is attached by and between the Housing Authority and RE/MAX North Orange County for the sales and marketing of the unsold homes at University Heights.

The approval was unanimous.

III. ANNOUNCEMENTS

Next meeting is scheduled for Wed 02/13/08 @ 4:00 p.m.

IV. ADJOURNMENT

Chair Mark Stohs adjourned the meeting at 11:20 a.m.

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*Approved by the Board of Directors, 04/09/08.*

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Jay W. Bond, Secretary