

# JANUARY 2005

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and Nina Macdonald



## CALL FOR NOMINATIONS TO HRB

The current Homeowners' Representative Board (HRB) requests self-nominations to the four two-year positions opening on the Board. Filing statements must be sent to Rachel Gamby, Chair of the HRB, 22 Los Trancos, or <rgamby@cox.net>, by **JANUARY 10, 2005**. Statements and ballots will be printed in the February Newsletter.

Voted ballots must be received by the HRB, 22 Los Trancos, **NO LATER THAN FEBRUARY 14, 2005**.

## HRB MEETING MINUTES - Tuesday, December 7, 2004

**Present:** Aileen Anderson, Jeffrey Beckwith, Brian Cummings, Komal Dewan, Rachel Gamby, Wayne Sandholtz, Michele Walot, Andrew Herndon, Ron Reid.

Monthly Operation Report: Forwarded by A. Herndon

### Old Business:

**Campus Planning:** The EH&S Engineering Gateway noise testing will need to be redone. At no point, was testing done with all equipment running simultaneously. It will be difficult to schedule a testing time because of the construction of the new parking deck and office building. Noise from construction of the Southern Radial will interfere as well.

**Dog Run:** Plans for the dog run are progressing. Bench placement, possible lighting, water access, entries, and ground cover are in final planning. The fencing surrounding the run will be 5 feet in height and will be screened with landscaping. A decomposed granite path will ring the perimeter of the area.

**Gabrielino Playground:** A final plan for the Gabrielino Playground has been submitted. More details may be found in the Community Operations Development Report. The HRB thanked Andrew Herndon for helping the community access over \$15,000.00 worth of additional equipment for the site. HRB particularly appreciated him giving so much time to this project and working with the Park Committee to select equipment the community will enjoy.

**Pool Committee:** The final use of the pools over holiday breaks will be determined by weather and money in the operations budget. The Gabrielino pool will be closed for repairs again to the surrounding decking.

**Priority Purchase Period:** The HRB recommendation to change the time period when new faculty may purchase homes has been taken to the Faculty Welfare Committee of the Academic Senate. The committee will study the current policy and make its recommendations back to the HRB.

**Newsletter Delivery:** The delivery times of the newsletter was briefly discussed. It will be an agenda item on next month's meeting. Residents are reminded that the deadline to submit articles and ads is now the 15<sup>th</sup> of each month.

An article on property taxes will be run in the January newsletter.

Ways were discussed in which to get more residents to sign on to the listserv. It is the best way to get information to the community rapidly. It was decided that the current listserv will not be moderated for content. A new HRB, ICHA, and campus listserv is being considered which would allow the current members an option to receive only officially sanctioned business messages and/or the option to receive general correspondences.

No complaints have been fielded by the UCI PD for the past two months at the Garden Park. Landscape removal, security lighting, and inclement weather may be contributing factors. Additionally, complaint activity has historically been concentrated in the summer months.

A request for a carport was denied and referred back to the owner with a request for more detailed plans. The request for a gate was approved with specific conditions, requiring the slotted openings match the size and height of those in the surrounding fence. HRB voted to disallow a solid gate or one taller than the existing security fence. Plans may be resubmitted at the next meeting if the owner contests the decision.

The meeting was adjourned to allow for a second meeting concerning the Area 8 homeowners and their interest in the Southern Radial landscape and lighting plans.

*---Respectfully submitted, Jeffrey S. Beckwith*

## **PROPERTY TAX HISTORY**

ICHA recently received a request to provide some history of Orange County property tax assessment in University Hills.

The following is an excerpt from a letter from UC General Counsel that appeared in the U Hills newsletter in April of 1992 which outlined the background regarding a tax on the possessory interest in the land you occupy and explained the decision of the California Supreme Court.

Note that this article is intended to provide information on property tax issues that were settled in 1992; no action is necessary by any current homeowner with regard to these long settled issues.

### **Excerpt from General Counsel's letter of 1992:**

On February 27, 1992, the California Supreme Court issued its opinion in this case, ruling that faculty residents in the University Hills faculty housing project on the Irvine Campus are not entitled to a real property tax exemption for the land owned by The Regents underlying their homes.

The California Constitution exempts from taxation property which is “used exclusively” for the benefit of state universities. Previous case law had interpreted “used exclusively” in this context to mean any use which is reasonably necessary to achieve the goals of a complete modern institution of higher education. Using this definition, the exemption had been applied to a wide variety of circumstances, including housing provided by a university for its faculty.

The University of California first began construction of faculty housing in the early 1980’s after studies demonstrated that the high cost of housing in California was impacting the ability to continue to attract and retain the highest quality faculty. The construction of for-sale homes was part of an overall faculty housing assistance program which includes mortgage assistance, rental units, counseling and so on.

The University Hills project at Irvine is not unlike similar developments on the Los Angeles, Santa Cruz and Santa Barbara campuses. Another is planned for the Berkeley campus. The faculty in those projects own the improvements on their lots – i.e., their homes. They lease the land underlying those homes from The Regents. Their accumulation of equity is limited to various indices tied to the basic rate of inflation. Re-sale is limited to other members of the faculty. These features ensure the continued viability of affordable housing to future generations of University faculty.

The trial court and the Court of Appeal validated the applicability of the exemption to the University Hills project. In a lengthy opinion, the California Supreme Court has now reversed these rulings, stating that the leasehold interests:

“which are privately owned . . . [and] used for the private owner’s residences, are not property used exclusively for university purposes within the meaning of [the Constitution]”

There is no further legal recourse, other than legislative, to establish the exemption. Since faculty members have paid their property taxes throughout the course of these proceedings, they will not be required to pay any additional tax as a result of this opinion.

## **COMMUNITY DEVELOPMENT OPERATIONS REPORT - DECEMBER 2004**

ICHA has received approximately \$15,500 of funding from the Gametime Healthy Kids Initiative Grant for play equipment at Gabrieling Community Park. This represents approximately a 30% fund increase for the purchase of play equipment for the park. No funds were expended for design of the equipment areas as they were included as a pro-bono aspect of the Gametime programming. Installation of swings, teeter totter, sand play area and a new multi-component play structure is anticipated to begin the later part of January and be completed by March or early April.

Preliminary Planting plans for the Southern Radial right of way and adjoining slope will be presented to the HRB and Marasaki residents at this month's meeting. The UCICEP Office and ICHA's Landscape Architect will be present for the presentation. No implementation of the planting can occur until the Southern Radial right-of-way improvements have been accepted by the Campus for maintenance.

Management has received the comments from the Dog Run Committee and will review them with the HRB at their December meeting. Campus California roadway improvements must be completed prior to start of construction on the Dog Run area.

### **Community Maintenance**

#### **On going and completed Community improvements and repairs**

##### **Work in Progress**

Police records continue to note no disturbances at the Garden Park.

The Townhome lighting fixtures replacement will begin on December 13 and require approximately two weeks to complete.

The Gabrielino Dr. at East Peltason intersection repairs have now been scheduled to coincide with the Winter Break to better coordinate and minimize disruption and noise related to traffic control and weekend work.

Pool One fence removal and replacement is scheduled to begin this month.

Gabrielino Pool is still under Brookfield warranty and a resolution regarding the repairs is pending.

##### **Items Completed**

The annual power washing / cleaning of the community sewer system was completed in November.

##### **Architectural Reviews**

Five new applications have been received since the last update. All five represented Area 8-E landscaping additions.

A proposed carport extension on Twain and a privacy fence for a Muarasaki driveway courtyard will be revisited by the HRB at their December meeting.

*---Andrew Herndon, ICHA*

## **UNIVERSITY HILLS COMMUNITY BUILDING ON THE DRAWING BOARD**

The preliminary designs for the University Hills Community Building were recently presented to the HRB, the HRB Community Center Committee and the ICHA Board and staff for review and consideration. Initial programming for the building, which will house a variety of rooms for the University Hills community and office space for the ICHA staff, began earlier this year with assistance from the HRB and their sub-committee. The design architect, Leason Pomeroy of LP3 Architecture, Inc. was selected from a competition involving three well known architectural firms.

The building is "L" shaped and best described as a two story modern configuration of community multi-purpose rooms and offices connected to patio areas for outdoor activities. A kitchen, large multi-purpose room, game room, library social area, and a multi purpose classroom will offer University Hills' residents a variety of opportunities for large and small group gatherings. All ICHA operations will be relocated to portions of the structure. Landscape buffering, parking, catering access and some open space recreation area will surround the structure.

One of the concept elevations of the building is included with this article. Additional drawings have been posted to the University Hills web site at <http://uhills.org/>.

The HRB and the resident Community Center Committee have met with the architect on two occasions. ICHA will be scheduling an open meeting with the entire community sometime in March 2005 for additional input and comment. The meeting location, date and time will be announced in the February University Hills Newsletter.

I would like to extend an open invitation to contact me at the ICHA office where you may view a three-dimensional concept model we will have on display. The HRB has also noted their availability to answer any questions you may have. Thank you.

---Andrew J. Herndon - Vice President of Community Development

## **UCI FILM AND VIDEO CENTER OFFERINGS**

All films are shown at 7pm on Thursday nights (Jan. 13, 20, 27) at HIB 100. Tickets are \$3 students/\$4 faculty/\$5 general  
All inquiries can be directed to Douglas Choi at [fvc@uci.edu](mailto:fvc@uci.edu) or 949-824-7418.

**Jan. 13/7pm - For Openers: *The Art of Film Titles***, Director David Peters to appear

David Peters has studied the history of title design in depth and amassed an outrageous collection of opening sequences. He will lead us from the early fifties and the emergence of pioneering Saul Bass (*Man with the Golden Arm*, *Psycho*), to the latest generation of visual prologuists like Kyle Cooper (*Seven*, *Island of Dr. Moreau*) and Randy Balsmeyer (*Malcolm X*, *Jungle Fever*). The Director will make an appearance to discuss his film. 100 minutes

**Jan. 20/7pm - *Wing Chun***, Introduced by Lauren Steimer (FMS)

Internationally renowned choreographer Yuen Woo-Ping (*The Matrix*, *Kill Bill*, *Drunken Master*), is at the helm of this 1994 film featuring Michelle Yeoh. Replete with meticulously choreographed action and a light comic touch, *Wing Chun* is a decidedly feminist take on the 18<sup>th</sup> Century legend. 93 minutes

**Jan. 27/7pm - *Bright Leaves***, Director Ross McElwee to appear

The Film and Video Center is excited to present the new film from highly acclaimed documentary filmmaker Ross McElwee (*Sherman's March*, *Time Indefinite*). In *Bright Leaves*, McElwee examines the nature of the American tobacco industry and its history. His unique, oftentimes hilarious approach opens up deeper questions about his boyhood home in North Carolina, his family, and the intersection of personal and social history. The Director will make an appearance to discuss his film. 107 minutes