

28 Aug 2020

Lynn;

Please put this on the Board Agenda. The Board did not review any of the comments at the 8 Aug 2020 Board Meeting because there was no time for review and there was a feeling that this should be put on the Board Agenda to allow time for review and comments.

I would like to know the status of the following items:

- 1: Landscaping. As indicated, the Common Area Landscaping is beginning to deteriorate. My recommendation was that the Board or a Board member walk-through the neighborhood. Has a member of the Board determined what issues there are and what issues remain with respect to landscaping?
- 2: There was a discussion on the 10 Aug 2020 Board meeting concerning root damage caused by trees. If in the future the Board decides to replace trees, there is some information that you may find useful:
 - a. A root barrier should be considered. Root barriers are often not put in by builders when trees are planted to reduce costs. This seems to be the case with this community. See <https://www.deeproot.com/products/root-barrier.html> for a description and [NDS](#) and [Amazon](#) for purchase options.
 - b. Selection of a suitable tree could be investigated at the [Cal Poly](#) list of trees. This list maintains specific mention of trees which do not have an invasive root structure.
 - c. A general description of how to plant a tree is given in [EarthEasy](#). The article explains invasive roots.
- 3: Curb Repair. As noted, the curbs on the South end of Palmatum are in need of repair or replacement. Has the city been informed?

As a related topic, curbs, sidewalks, etc. in front of property owners lots are in need of repair. Whose responsibility is this, the city or the property owner? If it is a city responsibility then it should be feasible to put an article in our newsletter requesting information on the state of the curbs, sidewalks, etc. from the property owners and then inform the city of our needs. If it is a specific property owner issue then all curbs, sidewalks, etc. should be inspected to determine the state of the community and determine what action should be taken.

- 4: The Board should direct the Management Company to produce an interactive map of the community, including the common area, property lots, and city owned property, to allow better management of the area. The interactive interface should be coordinated with a background (software) resource to allow determination of the state of objects within the community, and to be used as a tracking device to generate reports on our state. For example, the state of curbs, sidewalks, property changes (painting, renovation, etc.), sbrubbery/grass/trees, and etc. We have no tracking software and no way of seeing or anticipating community needs. The Board is reactive and not proactive.
- 5: The Prosa and Clubhouse pool efforts were discussed in the Board Meetings I attended. My understanding is that the current refurbishment efforts are between \$150,000 and \$200,000 over the reserve budgeted amount. Is this correct? Association [Bylaws](#) VII(2) prohibits this

without a member vote.

- 6: The July Board Meeting was held at the Clubhouse patio. This was a good setting and very pleasant, but it was difficult for Board members and myself to hear each other. It would seem better to have internet meetings to allow us to hear each other better, and to allow for a wider audience participation. Is such a plan in the works?
- 7: Please post a notification of filing deadlines for member Board Agenda presentations into some online accessible location, and distinguish this from member presentation which are not placed on the Agenda.
- 8: Would it be useful to put a notification in the Newsletter that weeds and grass on the street and curb adjacent to a property are the responsibility of the homeowner and that they should be removed? Can this be made as part of the Management Agents property inspection and can a fine and warning notice be given for violators as required, or would it be better to publish the address in the newsletter?
- 9: Are the website [CC&R](#)'s legal? The [CC&R](#)s show two versions of *Amendment of Declaration of Covenants, Conditions and Restrictions*, one on pg. 65 and the other on pg. 74. On pg. 65 there are items 1 – 3 the remainder are obscured. On pg 74 there are items 1 - 5 the remainder are obscured. Since the documents are not fully legible, are they legal?
- 10: In the [5 Jun 2020](#) Board Minutes “exact meeting notes” it was said that Pool replacement requirement will move to ~30 years (or whatever we decide).?” Is this legal? Does the Board have the discretionary ability to decide on the a replacement timeframe of something in the Common Area or does this have to be determined by Advanced Reserve Solutions, Inc., the producers of our Reserve Analysis Report?
 - a. If this in the Board ‘s Authority, why are we employing a company to do the Reserve Analysis?
 - b. If this is not in the Board’s Authority, what role does the Board have in establishing or modifying the reserve analysts report?
- 11: In the [5 Jun 2020](#) Board Minutes “exact meeting notes”, it states:
 - a. Goal for reserves is 70% ... We are currently running at 100%.
 - b. After Main pool – will drop to much lower %.
 - c. If way over budget ...
 - d. Operating as of today [\$]61K loss before reclassifying last year. ... May not be able to contribute to reserves ...

All these items indicate spending more on items than the Association reserves have planned. The Association [Bylaws](#) VII(2) specifically requires a vote by Association members on certain expenditures, see for example [Bylaw](#) VII(2)(2) requiring a vote if the aggregate expenses exceed 5% of the budgeted gross expenses, and [CC&R](#) V(3)(a-b) which specifies the maximum yearly increase in Homeowner Association dues and specifies the condition when a vote by membership is required. This year the threshold is \$44,400. Have your expenditures and their expected impacts followed the [Bylaws](#) and [CC&R](#)'s.

I herein mention that these items are not suggestions but are our community ‘laws’, the contract that members and the Board are required to follow. They are not discretionary.

Some of these matters were brought to the Board's attention at the [9 Mar 2020](#) Board Meeting in my presentation, material given to the Board president and subsequently emailed to the Managing Agent.

- 12: In the In the [5 Jun 2020](#) Board Minutes it was stated that the "Strongroom – invoice reporting – view only for Board Members". Will this report be permanently archived for member inspection?
- 13: Before each Board Meeting, Board Members receive a book with items for discussion and resolution.
- a. Is this book permanently archived for member inspection?
 - b. Would it be possible to put this book online on the Association website for member review?
- 14: The Park Paseo Association Website needs to be better curated. This has been brought up to the Board each month in which I have attended a meeting from March to August. It remains a mess. Will the Board take control of our website and ensure that it is properly curated?

The specific issues as of 28 Aug 2020 are:

- a. June Board Agenda is missing
- b. June and July Board Minutes are missing.
- c. All Agenda, Minutes and Newsletter posting from January to the present do not follow a consistent naming convention and the sorted list of entries makes it difficult to find an entry for any given month for any given entry. Previous to January, 2020 it was possible to find documents easily
- d. June, July and Aug Architecture Meeting Agendas are missing.
- e. July and Aug Architecture Meeting Minutes are missing.
- f. June Architecture Meeting Minutes have been removed.
- g. All information missing for Aug (Newsletter and all agendas and minutes).

This might be a good time to consider hiring a high school student to maintain our website.

- 15: Of note is that the [23 Apr 2020](#) email received as a result of my request for Architecture Meeting documents the Association agreed to begin publication of Architecture Meeting Minutes and Agenda on a monthly basis commencing 1 Jun 2020. As of this writing this agreement is in forfeit. What is the Board's intent?

Thank you;
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