

President's Report -February 2023

I would like to start my report with an acknowledgement that I am not an engineer, or a scientist, or an architect, or an attorney. I'm an ordinary guy drafted to fill a vital role in our HOA. I have only two years of experience in the management of this HOA &, although I know how to look stuff up, I have to rely on the expertise of others, especially residents that have the history & institutional memory of the HOA to guide me.

Two weeks ago, we lost a pillar of our institutional memory. Andy Miller, a long-time fixture of the Roads Committee, passed away after a fall while undergoing tests at a hospital in Tucson.

While we have had a number of Homeowners move or pass away this year, Andy's loss strikes me particularly hard. As a long time member of the Roads Committee, Andy was not only the institutional memory of our work on roads, but he was also the go-to-guy for anything roads related. He painted curbs, he replaced street signs blown over in the monsoons, he installed speed bumps and then took them out again, he filled potholes, often many times. He could be blunt, but invariably, he was right. His selflessness and his passion for unrecognized community service deserves a mention here in the official record. But more than that, I'll miss his experience, wisdom, & forthrightness. God speed you, Andy.

Carrying on: Once again we had a monster Monsoon season, with one particularly nasty hailstorm blasting through our HOA. Many of you suffered damage to roofing, skylights and paint. The HOA common areas were substantially impacted as well. Our landscaping contractor responded quickly to remove twelve downed trees. And as the weeds and grasses exploded, we contracted for doubled work crews for October, November and December.

Due to an ambiguity in the contract with Felix Landscaping, we were able to renegotiate the contract with a favorable rate for 4-man crews when needed and expanded the scope of work covered by contract.

We have a substantial invasion of buffleggrass on Emilita, with smaller clumps popping up throughout the HOA, as well as large areas of cheatgrass. Weed wacking the invasive grasses is not enough; we need to work on eradicating them and bringing back the native grasses & flowers that have been choked out. We also need to review the state of erosion control, including rotting timbers and silted up rock flues.

Thanks to the efforts of Denny & Ginny Skelton and occasional helpers, the sides and medians of Desert Jewel from Camino del Sol to Mariquita have been groomed and trimmed. They have also worked on other streets and improved 30 sightlines at intersections. The work continues.

The Landscaping Committee is down to two members. If you have some knowledge of gardening, especially with desert plants, please consider volunteering to serve on the Landscaping Committee.

At our Board Meeting yesterday, we appointed Caroline Reilly as our Garbage Czar (or Trash Lady), charged with evaluating the pros and cons of exclusive contracts with Titan or Republic, or retaining Homeowner choice. I expect you will hear from her in the near future.

In 2021, we struggled with communications with Homeowners during COVID. In 2022, we made great strides in complying with the Open Meeting regulations, distributing agendas and promptly posting minutes of Board meetings.

A vital part of our communications with Homeowners is through the Block Captains. This year, Pam Beck, who has served for years as Block Captain Captain, tendered her resignation. She did a superb job keeping this important means of local communication alive & well. She'll be a hard act to

replace, But if you are interested, please consider adding your name to the volunteer list or talk to Karen Pitts.

The situation with our governing documents remains confused. The latest interpretation of the Kalway vs Calabria Ranch decision establishes both the original 1990 CC&R's and the 2007 Amended CC&R's as governing a Homeowner's rights regarding their property, depending upon when the Homeowner purchased the property. We currently have about 40 properties that are subject to the 1990 CC&R's while the other 120-ish are subject to the 2007 CC&Rs. It was also determined that the restrictions on the powers of the HOA imposed by the 2007 CC&Rs and Bylaws apply.

This led us to begin a review of our bylaws, especially since a number of provisions have been ignored for years. The purpose of the review is to ensure we are in compliance with both state law and our bylaws, and where necessary, we either change our practices to comply with our bylaws or seek to change the bylaws to conform with our practices. Our counsel is currently reviewing our documents. Once that review is complete, any proposed changes to the bylaws will be posted and mailed to homeowners for their approval.

The condition of our roads has been a consuming issue for the past year. At the 2021 Annual Meeting we reported that we had contracted with a civil engineering firm to evaluate our roads, give us recommendations as to necessary work and to give us an estimate of costs in a timetable of ten years.

The study was completed in the spring of 2022. Based on the condition of our roads & the needed work, the consultant returned with a three year plan, along with estimated costs. Over the past six months, the Roads Committee has corroborated the details and costs, and starting last June, the Board has been seeking questions and comments from Homeowners. We've received a ton. Following today's Hearing, the Roads Committee will review the comments and ideas, and suggest a path forward.

As a side note, we've lost two members of the Roads Committee. If you would like to participate in this next phase, consider volunteering for the Roads Committee.

At the request of Homeowners, we formed an Ad Hoc Investment Committee that will form policies & guidelines for investing funds in our Roads Reserve. The Committee's work will begin in earnest once we have a better grasp of how much and how long we can seek investment opportunities.

We have been slowly developing written policies so Homeowners and future Boards can have clearer expectations for HOA operations. This has not proceeded as quickly as I would hope, but as we develop them, we will continue to circulate them by email and post them on the website.

At yesterday's board meeting, I broached with the Board the idea of a policy statement related to RFPs. We have had a fair amount of confusion related to a loose use of the terms "bids" & "estimates". For clarity, I am focusing on the more exact term of Requests for Proposals. Some states have laws regarding when a Request For Proposals, or competitive bids, are necessary. In Nevada, the threshold is 3% of the annual budget. In Florida, the threshold is 10% of the annual budget. Arizona statutes do not have such restrictions, but we do have a mandate to be fiscally responsible. We'll be developing a policy to direct the current & future boards as to what projects require bids & what can be considered small works.

In conclusion, I wish to offer my sincere appreciation for the service rendered to the HOA by John Plantz, who recently resigned from the Board. John will continue to serve the HOA in some capacity, but I will miss the ideas and enthusiasm he brought to the Board. His term runs for one more year. If you are interested in serving on the Board, please contact a member of the Board or note as

such on the volunteer form here on the front table. We would especially appreciate someone interested in taking on some of the responsibilities of Secretary.

I thank you for the opportunity to be your president for the past two years. I've learned a lot, from both your support and your criticism. I'm not going to go all Koombaya on you, but I believe that we are strongest when we listen to each other and find common ground for a stronger community.