

Director of Property Maintenance Spring 2024 Report on Committees

Director of Property Maintenance: The Legal action component of the Legal Action/ Safety Committee was reassigned to the Rules and Regulations Committee. This was done at the request of the Committee member representing the legal issues, who felt more aligned with the upcoming problems involving the Rules and Regulations Committee. Given the expected growth of the Rules and Regulations Committee, this is the more appropriate area for the legal aspect.

Relevant 2023 changes in the law affecting Arizona HOAs, especially GVTH5, are the following: Arizona Homeowners Associations must allow the Betsy Ross flag or any historical version of the American Flag regardless of how the stars and stripes are arranged on the Flag. [Example: Bennington 76 Flag] Also, HB 2301 allows GVTH5 homeowners to “engage in door-to-door political activity.” **Note: GVTH5 lacks private streets and is not located in a gated community; therefore, non-association-individuals-may-engage in political door-to-door activity.**

The Architectural Committee members will no longer visit new homeowners as a group. Sharon Foster, the committee member responsible for welcoming new homeowners, is now part of the Gateway Greeters and, with this select group, will be available to answer any questions. The planned 2024 Architectural Committee packet with paint chips, copies of relevant forms, and a welcoming note from the Architectural Committee is now dead. According to Attorney Shupe, the *Kalway v. Calabria Ranch HOA* case is still the controlling law in Arizona and continues to limit or slow GVTH5 Committees to update and strengthen our CC&Rs. Shupe believes our plan to review original documents and

compare them to current CC&Rs, along with writing Rules and Regulations, is the sound course.

A form was created informing the requesting title company of current violations, including specific notes about the property and a list of neighbors' complaints.

Property Maintenance Committee: Since January 1, 2024, the Property Maintenance Committee's compliance team has issued twenty notices or warnings to GVTH5 homeowners. Committee member Rich Stottlemire organized a GVTH5 tree trimming day with several contractors, and six homeowners participated.

Architectural Committee: The Architectural Committee wants to remind residents that anything viewed of a townhome from the street or alley falls under the ARC's jurisdictional approval and requires a formal process for any exterior changes. (See Handout.) Please submit appropriate paperwork promptly and adhere to the formal process.

The ARC approved the following homeowners' requests: 126 Los Robles - A second metal gate that was cut into the adobe patio wall; 142 Los Robles- A tan retractable wall awning along the back patio wall; 174 Los Robles- A large palm tree removed from the front yard; 222 Las Robles- painted lattice work in the carport; 81 Las Yucas- Exterior painting including yard fence, 35 Los Pinos- Front door painted weathered brown, 96 N Los Olmos- Black solar screen in front bedroom window. The ARC compelled the owner of 81 Las Yucas to change the color of the front door, which was painted in an unapproved signature blue back, to an approved Weathered Brown. Tony Dinardo is the ARC onsite project reviewer. He will confirm that the submitted and approved plans are being adhered to.

The Architectural Committee, after the first resident open meeting for exterior colors, ruled that no new exterior wall paint colors would be added. This was based on the fact that a homeowner-wide 2018 survey followed by comments in the 2019 Annual Board meeting was still contemporaneous enough that repealing or adding colors was invalid. A request was made for an exterior Brown paint similar to several GVTH5 properties, but a shade of brown (Mochachino) had been included in the 2019 approved colors. Although this brown color has never been used, the color, now known as Crossroads, is still available. Also, the committee developed approved paint colors for gutters: Navajo White, Super White, or Weathered Brown. A second open comment meeting for homeowners' opinions on colors, this time for carport flooring, sidewalks, and pavers, is scheduled for May 7, 2024, at 10:am. Please bring a chair to 34 Las Yucas; we will meet in the carport. A new Architectural Alteration Request Form has been completed, and the committee has approved it. The Committee approved the new Exterior Paint Color Palette, which is almost finished and awaiting the final additions. Both forms will be presented in the Fall GVTH5 Board meeting. After the Rules and Regulations Committee submits the paint colors for legal review, the ARC will meet with attorney Shupe. They were currently scheduled for September 17, 2024.

Safety Committee: At the beginning of 2024, the committee responded to safety complaints and contracted to remove ten below-ground garbage containers and fill their cavities with sand. In phase two, eight residents contracted to have their below-ground garbage containers removed at their own expense. Due to security concerns, a closed meeting was held regarding the discovery of three spent 9mm casings in the alleys adjacent to 34 Las Yucas. Sharon Foster, of 34 Las Yucas, was invited to provide testimony about events surrounding the casing and general observations of events occurring in Las Yucas. Several preventive measures were discussed, including more safety

walks and an encouragement to contact the Director of Property Maintenance immediately, and the committee elected to be more proactive in enforcing CC&R # 5 **Objectionable Behavior:**

“Residents and their guests/visitors shall not cause any noise, or odor, or otherwise disturb the quiet, peace, comfort, security or serenity of other occupants or surrounding parties.”

At the suggestion of the President, a program entitled "Neighbors Helping Neighbors" will work in tandem with the Neighborhood Watch Program. NHN is designed to assist fellow residents who are in need or struggle with the demands of living in the GVTH5 neighborhood.

Hazardous Waste removal for GVTH5 residents is planned for May 17, 2024. Hazardous waste will be transported to the Sahuarita Landfill or the Los Reales Sustainability Campus. (See Handout) The Republic GVTH5 on-site box for electronics removal is still possible; however, the decision will be based on the number of participants; the cost may be prohibitive.

For the remainder of 2024, the committee will complete the final stage of the Neighborhood Watch program and hope to host a presentation on home security cameras.

Legal Action and Rules and Regulations Committee: The committee's initial rough draft of possible rules and regulations involved codifying paint colors, a list of approved flags, and safety requirements. For example, all limbs and branches must have a minimum of eight feet of clearance from the ground to the branch or limb. For Summer 2024, the committee will submit a list of rules and regulations to the attorney for legal review. Members of the Legal Action / Rules and Regulations Committee will join the members of the Architectural Committee for this onsite visit to Attorney Shupe on September 17, 2024.