

# «CommunityReportName»

Professionally Managed by:

**DANA Properties**

www.danaproperties.com

(915) 581-0900

6201 Escondido Drive - Main Office

El Paso TX 79912-1947



December 14, 2022

«OWNER NAME\MAILING ADDRESS»

Dear Property Owner:

The Annual Meeting of «COMMUNITY REPORT NAME» will be convened on Sunday, January 8, 2022, at 4:00 p.m. at the home of the Garcias, 347 Rocky Pointe. If we do not have quorum on January 8, we will reconvene the meeting within 14 to 30 days afterward. We will not be electing new directors this year; each of the current directors is one year into a two-year term.

Attached are the annual meeting agenda, most recent financial report, draft minutes of the 2022 Annual Meeting for approval at the 2023 annual meeting, and running list of decisions by the San Clemente Homeowners Association Board of Directors for 2022 for your information. The San Clemente page on the Dana Properties website also contains all of our documents and meeting minutes, for your easy reference.

We received many requests for a roster of property owners with contact information. In the interest of community safety and security and to ensure that property owners can be contacted in case of emergency, we also attached a roster of property owners with contact information for your use. We will provide an updated list periodically.

We request that all homeowners ensure that they have an up-to-date email address on file with Dana Properties. To save postage costs and allow more timely Board meetings when needed, the Board provides notice of all Board meetings electronically by email and posted on the Dana Properties website (click on "Our Communities" at the top navigation bar and then scroll down to "San Clemente") in accordance with 209.0051(e)(2) of the Texas Property Code, Title 11 which also states, "It is an owner's duty to keep an updated e-mail address registered with the property owners' association." If you do not have an email address on file, please do so ASAP.

We remind those who have not yet paid the special one-time assessment invoiced originally in September 2022 to contact Dana Properties as soon as possible to determine the amount currently owed and to pay the amount due. Late fees accumulate monthly. The invoices for the annual assessment will be sent in January. To ensure on-time payment of your account, you may use one of the payment options on the Dana Properties website to pay by credit card (fee charged) or draft, and to pay automatically. Click on Payment Options on the top navigation bar of the Dana Properties website.

Finally, we remind those who have completed construction and have not received the construction deposit refund that we have a form that must be filled out to document adherence to construction requirements. Once the form has been fully filled out and signed by the parties indicated, Dana Properties will refund the appropriate amount.

Best regards,

Marise Textor,

President, San Clemente Estates Homeowners Association

Attachments (5 total):

1. Agenda – 2023 Annual Meeting
2. Financial report – December 1, 2022
3. Draft minutes 2022 Annual meeting
4. Running list of Board decisions
5. Community Roster

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DANA PROPERTIES

## Agenda – 2023 Annual Meeting

Sunday, January 8, 2022

4:00 p.m.

Home of the Garcias, 347 Rocky Pointe

1. Roll call and certification of proxies/absentee ballots – Marise and Sheldon
2. Proof of notice of meeting or waiver of notice - Marise
3. Approval of minutes of 2022 Annual meeting – All
4. Reports of officers
  - a. Financial report – Brisa
    - i. Status of special assessment payments and 2023 annual invoices
    - ii. Projected 2023 annual budget and 2022 year-to-date expenditures
    - iii. Number of delinquent accounts by days overdue
  - b. President and Secretary report – Marise Textor
    - i. Board and Association accomplishments for 2022
    - ii. Goals and priorities for 2023 and Beyond
  - c. Architectural Review Committee (ARC) report – Patty Russell
    - i. Number of homes under construction
    - ii. Efforts to maintain the quality of the community
5. Election of Directors – there will be no election of Directors for 2023 because all Directors have served only one year of a two-year term
6. Old Business
  - a. Gate electronic management system and cameras
  - b. Rock wall repairs
  - c. Arroyo cleanup
  - d. Water usage monitoring
  - e. Process to levy fines for noncompliance
7. New Business
8. Adjournment

# **San Clemente Financial Reports**

DANA Properties

San Clemente

Tuesday, December 6, 2022

## Table of Contents

<b>Section</b>	<b>Report</b>	<b>Description</b>
1	Balance Sheet	The financial summary of a community or other business entity at a point in time.
2	Detailed Income Statement	The income minus the expenses of a community or other business entity over a period of time compared to budgets.
3	Check Register	The list of all checks written for a community during a period of time.
4	Aged Owner Balance	The list of owners with balances over 30 days.
5	Owners Summary	The listing of all owners and related data for a selected community.

**San Clemente**  
**BALANCE SHEET**  
As of: 11/30/2022

Run Date: 12/06/2022  
Run Time: 12:30 AM

**Assets**

<b>Account #</b>	<b>Account Name</b>	<b>Total</b>
10100	Operating Account	\$33,014.14
10200	Asphalt Maintenance Account	\$3,455.10
10300	Special Assessment Account	\$43,447.89
10500	Construction Deposits	\$73,150.00
16000	Special Assessment	\$27,139.22
18000	Late Fees	\$411.59
	TOTAL ASSETS	\$180,617.94

**Liabilities**

<b>Account #</b>	<b>Account Name</b>	<b>Total</b>
32100	Assessments	\$1,306.78
37100	Construction Deposit	\$73,150.00
	TOTAL LIABILITIES	\$74,456.78

**Equity**

<b>Account #</b>	<b>Account Name</b>	<b>Total</b>
58100	Retained Earnings	\$10,131.26
	Current Year Net Income/(Loss)	\$96,029.90
	TOTAL EQUITY	\$106,161.16
	TOTAL LIABILITIES AND EQUITY	\$180,617.94

# San Clemente

## INCOME STATEMENT

Start: 11/01/2022 | End: 11/30/2022

### Income

Account	Current			Year to Date			Yearly
	Actual	Budget	Variance	Actual	Budget	Variance	Budget
61000 Association Dues	0.00	0.00	0.00	52,050.40	49,266.00	2,784.40	49,266.00
62000 Special Assessment	0.00	0.00	0.00	81,700.00	0.00	81,700.00	0.00
63000 Late Fees	411.59	83.33	328.26	1,064.05	916.63	147.42	1,000.00
63550 Construction Deposit	2,500.00	0.00	2,500.00	2,500.00	0.00	2,500.00	0.00
64000 Insurance Claim	0.00	0.00	0.00	4,547.54	0.00	4,547.54	0.00
70000 Interest	26.20	0.83	25.37	31.53	9.13	22.40	10.00
<b>Total</b>	<b>2,937.79</b>	<b>84.16</b>	<b>2,853.63</b>	<b>141,893.52</b>	<b>50,191.76</b>	<b>91,701.76</b>	<b>50,276.00</b>

### Expense

Account	Current			Year to Date			Yearly
	Actual	Budget	Variance	Actual	Budget	Variance	Budget
80100 Landscape Maintenance San Clemente	345.51	350.00	4.49	3,843.91	3,850.00	6.09	4,200.00
80200 Stanton Median Maintenance to Sky Island	0.00	0.00	0.00	2,984.54	5,000.00	2,015.46	5,000.00
80250 Stanton Median Water Reimbursement to Overlook	0.00	0.00	0.00	667.23	2,000.00	1,332.77	2,000.00
80300 Sprinkler Repair San Clemente	0.00	333.33	333.33	1,482.85	3,666.63	2,183.78	4,000.00
80500 Plant Replacement San Clemente	0.00	0.00	0.00	0.00	1,000.00	1,000.00	1,000.00
80600 Street Repairs	0.00	83.33	83.33	220.00	916.63	696.63	1,000.00
80700 Lighting	0.00	333.33	333.33	3,584.95	3,666.63	81.68	4,000.00
81500 Gate Repairs	0.00	375.00	375.00	2,890.73	4,125.00	1,234.27	4,500.00
81520 Signage	0.00	41.67	41.67	840.00	458.37	(381.63)	500.00
81570 Common Area Maintenance	0.00	416.67	416.67	1,040.00	4,583.37	3,543.37	5,000.00
83100 Water	156.61	333.33	176.72	3,745.13	3,666.63	(78.50)	4,000.00
83200 Electricity	65.00	66.67	1.67	771.27	733.37	(37.90)	800.00
83300 Telephone	132.05	82.50	(49.55)	1,229.23	907.50	(321.73)	990.00
84100 Management Contract	500.00	500.00	0.00	5,500.00	5,500.00	0.00	6,000.00
84150 Site Manager	1,200.00	1,166.67	(33.33)	13,200.00	12,833.37	(366.63)	14,000.00
84210 Insurance	253.00	208.33	(44.67)	2,024.00	2,291.63	267.63	2,500.00
84300 Postage	0.00	25.00	25.00	280.44	275.00	(5.44)	300.00
84400 Photocopies/Printing	25.07	33.33	8.26	1,005.34	366.63	(638.71)	400.00
84500 Legal Fees	0.00	33.33	33.33	336.00	366.63	30.63	400.00
84525 Credit Bureau Reporting	0.00	0.00	0.00	(82.00)	500.00	582.00	500.00
84600 Accounting Fees	0.00	0.00	0.00	300.00	300.00	0.00	300.00
84700 General Expense	0.00	41.67	41.67	0.00	458.37	458.37	500.00
<b>Total</b>	<b>2,677.24</b>	<b>4,424.16</b>	<b>1,746.92</b>	<b>45,863.62</b>	<b>57,465.76</b>	<b>11,602.14</b>	<b>61,890.00</b>
<b>Net Income</b>	<b>260.55</b>	<b>(4,340.00)</b>	<b>4,600.55</b>	<b>96,029.90</b>	<b>(7,274.00)</b>	<b>103,303.90</b>	<b>(11,614.00)</b>

**San Clemente**  
**CHECK REGISTER - DETAILED**  
 START: 11/01/2022 | END: 11/30/2022

Run Date: 12/06/2022  
 Run Time: 12:30 AM

Date	Check	Vendor	Reference	Amount
<b>Pacific Western Bank Checking Account</b>				
11/01/2022	2114	DANA - DANA Properties	Management	\$500.00
11/01/2022	Inv: Management	Acct: 84100 - 000 - Management Contract	Management	\$500.00
11/01/2022	2115	RUBENSHAE - Ruben Schaeffer	Contract	\$1,200.00
11/01/2022	Inv: Liaison	Acct: 84150 - 000 - Site Manager	Contract	\$1,200.00
11/04/2022	2116	OPTIMAL - Optimal Outsource	statements	\$25.07
11/04/2022	Inv: opt0774280-034	Acct: 84400 - 000 - Photocopies/Printing	statements	\$25.07
11/11/2022	2117	EPELECTRIC - El Paso Electric Company	electricity	\$65.00
11/11/2022	Inv: 4135700000	Acct: 83200 - 000 - Electricity	electricity	\$20.25
11/11/2022	Inv: 6325700000	Acct: 83200 - 000 - Electricity	electricity	\$27.78
11/11/2022	Inv: 8135700000	Acct: 83200 - 000 - Electricity	electricity	\$16.97
11/15/2022	2118	NATIONWIDE - Nationwide Insurance	insurance	\$253.00
11/15/2022	Inv: 931321480	Acct: 84210 - 000 - Insurance	insurance	\$253.00
11/18/2022	2119	GREENSCENE - Green Scene Inc.	monthly grounds maintenance	\$345.51
11/18/2022	Inv: 131117	Acct: 80100 - 000 - Landscape Maintena...	monthly grounds maintenance	\$345.51
11/18/2022	2120	EPWATERUTI - El Paso Water Utilities	water	\$72.87
11/18/2022	Inv: 1280620000	Acct: 83100 - 000 - Water	water	\$72.87
11/28/2022	2121	LINGOCOMM - Lingo Communications	telephone	\$132.05
11/28/2022	Inv: 32982890	Acct: 83300 - 000 - Telephone	telephone	\$132.05
11/30/2022	2122	EPWATERUTI - El Paso Water Utilities	water	\$83.74
11/30/2022	Inv: 8621000000	Acct: 83100 - 000 - Water	water	\$83.74

<b>Date</b>	<b>Check</b>	<b>Vendor</b>	<b>Reference</b>	<b>Amount</b>
				<b>Sub-Total: \$2,677.24</b>

**Total: \$2,677.24**



# San Clemente Annual Meeting for 2022

**March 2, 2022**

## Roll call and certification of proxy ballots

The following attended the meeting:

<b>Name</b>	<b>Property</b>
Marise Textor	424 Lechuguilla
Brisa Garcia	343 and 347 Rocky Pointe
Patty Russell	456 and 454 Rocky Pointe
Sheldon Wheeler	Dana Properties - Management Company
Karen Foster	375 Rocky Pointe
Mike Myers	416 and 420 Lechuguilla
Joann Palofox	437 San Clemente
Brian Moats	445 San Clemente
Luisa Miller	441 Cross Canyon Place
Carmen Gloria	

Sheldon had the following proxy ballots:

- Brisa - 2
- Brian Moats
- Matthew Bowman - 378 Rocky Pointe

Luisa was asked by Hector Mendoza (436 San Clemente) to serve as his proxy but did not have a signed ballot from him, reporting that he had an emergency and would send her a ballot afterwards.

Joann had to leave during the meeting and texted into the meeting chat that she turned her proxy over to Mike.

Total properties represented: 12 plus the possibility of Hector Mendoza.

## Proof of notice of meeting or waiver of notice

Marise showed the meeting notice that went out. The proof of notice was met.

## Approval of minutes of 2021 Annual meeting

Patty moved to approve the minutes of the 2021 annual meeting, held by zoom on December 5, 2021, and Karen seconded. There were no corrections, and no one opposed the approval. The motion passed unanimously.

## Financial report

Report provided by Brisa Garcia and Sheldon Wheeler.

Brisa reported that our balance sheet was negative \$861 for the month of December 2021 and negative ~\$6000 for the year, and that it was negative the last two years. She said that it is

important that we consider a special assessment so that we can remain positive. A homeowner reminded us that we had the 5%/year increase in annual dues intended to maintain the budget, and Marise explained that we are running negative despite the annual 5% increase.

Sheldon ran a report earlier today to identify the delinquent accounts and only three properties owe more than the 2022 assessment (down from nine a month ago). Twenty properties have not paid the 2022 assessment yet. A homeowner asked what we do about delinquent accounts or what we can do. Marise reported that we sent certified letters in January and will likely do that again. Management needs to re-write the letter that they use to conform to state law changes in September 2021 so that we can, under the new law, report delinquent accounts to a credit agency. The next step if a property owner does not pay after receiving a certified letter with the appropriate information in it and reporting to a credit agency is that we could obtain the services of a collection agency, but the Board would have to decide to do that, considering whatever fees would be charged. Not discussed at the meeting: The management company also puts a lien on the property so that eventually, we will be paid including interest when the property changes hands.

### **Reports of officers - President's Report**

Report provided by Marise Textor.

Adequacy (inadequacy) of the current dues and restrictions on dues increases - As discussed above, the dues do not adequately cover current expenses. Dues may only be increased by 5% per year on a Board decision without a vote of the property owners.

Tractor Trailers - The question of continuing the prohibition on tractor trailers was discussed at the 2021 annual meeting. In the January Board meeting, the Board discussed the issue and decided to maintain the prohibition on tractor trailers.

Contractor Liaison - The Contractor Liaison position was discussed in the 2021 annual meeting. In the January Board meeting, the Board decided that we would put a contract in place for this position, considering that it is our single largest expense, and we have no paper to define it. Marise drafted a contract and obtained feedback from the rest of the Board, management, and ARC Chair, and then discussed it with David Karns and sent it to him by email. David replied with concerns but has not yet provided a counter proposal, which the Board is waiting for. A homeowner questioned if something was wrong with the work and why we need to put a contract in place when we have not had one for ten years. Two homeowners expressed concern that we do not want to lose David. One homeowner said he was stunned to hear that we have done business for so long without a contract. Marise explained that as an independent consultant she has contracts for all of her work under the advice of attorneys, insurance, and others, and that San Clemente has contracts with Dana Properties and Green Scene, that a contract is good business practice, and that having a contract does not indicate anything is being done incorrectly. Brisa said that she spoke with David and encouraged him to identify any language that he would like to see in the contract. Another homeowner said that David should provide his feedback and will not sign it if he does not agree with it.

Electronic notice of future board meetings - **Homeowners should provide an email address to Dana Properties as soon as possible.** Future Board meetings, which are open to homeowners to attend, will be noticed via email and on the Dana Properties webpage on the San Clemente page.

Process to submit demand letters to property owners for delinquent accounts - This was discussed during the Treasurer's report.

Rock wall issue raised by homeowner - A property owner raised a concern at the January Board meeting about a commonly owned rock wall partly built on their property. After discussing it at the Board meeting, the Board gave the property owner a choice of signing the agreement that our attorney developed, proposing changes to the agreement, or deeding that part of their property to the HOA at the expense of the property owner. We have not heard back from the property owner on how they will proceed.

Date of next Board meeting - The next Board meeting will be at 5:00 p.m. on March 8 by zoom and the meeting notice was included with the annual meeting notice and is posted on the San Clemente page of the Dana Properties website. Property owners are welcome to attend.

### **Vice President and Treasurer report**

Report provided above as the Treasurer's report. Brisa added that she will reviewing financial statements monthly basis as opposed to quarterly. Sheldon is emailing them to her every 5<sup>th</sup> of the month. She will inform the board if there are increasing costs and decreasing bank balances.

### **Report of Architectural Review Committee**

Report provided by Patty Russell, ARC Chair. (Other ARC members include Luisa Miller, Andrew Palafox, Diane Anderson, and Karen Foster.)

The ARC approved one set of plans and currently has another set to review.

The ARC is considering increasing the construction deposit with a nonrefundable part to allow better review and monitoring of the plans. Sheldon stated it is not uncommon for some associations to hire an architect to review plans and pass that charge on to the owner.

### **Election of Directors**

One nominee, Karen Foster, was on the ballot. Sheldon reported that none of the ballots he received included a write-in candidate. Marise called for other nominees, and none were identified. Patty moved and Mike seconded to close the nominations. Karen Foster was elected to the Board by a unanimous vote.

(Not discussed at the meeting, but now that Karen has been elected to the Board, she cannot simultaneously serve on the ARC under current Texas State law, effective September 1, 2021. Therefore, the ARC has an open position. Anyone who wishes to serve on the ARC should contact Marise and Patty or Sheldon. The Board appoints the ARC and can appoint a new member if/when a volunteer comes forward.)

A discussion of Board positions occurred. After the membership elects individuals to serve on the Board, the Board then decides who will fill each position on the Board and will do so at the next Board meeting. Sheldon mentioned that one potential conflict would be if a document required signature by the President and the Secretary, that the same person could not sign for both. Marise stated that in that case, we would need to have the Treasurer or Vice-President sign in the second position if she retains the President and Secretary role.

## **Old Business**

Formal and transparent complaint process - Sheldon reported that the normal policy is that complaints must be in writing. Sheldon forwards any complaints received to the Board the next business day. Marise will ensure that we develop a complaint log and post it on the website and keep up to date with any complaints received and current status or how resolved.

Water costs – An analysis of water bills over past 3 years and status of sprinkler repairs was included in the first notice packet. Water costs have increased, and we are working on sprinkler repairs and control of water flow. If anyone has any questions or discussion on the slides provided, contact Marise.

Explanation of insurance cost increases – These increases have been nominal in size.

Arroyo Cleanup - Cleanup should probably be done a minimum of two times per year but we are currently unable to pay for this with current dues and financial status. One bid for cleanup was \$2100. This is one of the reasons we need a dues increase greater than 5%.

Gate Repairs - A homeowner has ordered the parts for a permanent repair to the gate at their cost and will proceed with the permanent repair soon.

Review of Green Scene contracts – Marise reviewed the Green Scene contract. It covers routine sprinkler repairs for problems they find in the course of their work and for parts on their truck at the time. They can come back to do more repairs at a cost but their contract does not call for a routine search for leaks and repairs. This is a possible contract change that the Board will likely want to consider.

## **New Business**

Adequacy of dues - As discussed above, we need to have a special assessment and/or a substantial dues increase. Normal wear and tear of the streets and damage from rainwater would not be covered as an insurance cost and we would need to pay for it as the streets are private, owned by us, and not maintained by the City of El Paso.

Several homeowners spoke in favor of both a special assessment and dues increase, the need to have an adequate reserve.

In response to a question of what we would do if a small number of homeowners oppose a dues increase, Marise shared a summary on the screen of the requirements that must be followed to adopt dues increase of more than 5% or a special assessment, as follows:

*The following are the requirements to allow a special assessment and a dues increase of more than 5% in a year, per Article IV, Covenant for Maintenance Assessments, in the Amended and Restated Declaration of Covenants, Conditions, and Restrictions:*

- *Both a special assessment and an annual assessment more than 5% greater than the prior year's annual assessment may be approved by a vote of 2/3 of the members who vote either in person or by proxy at a meeting duly called for this purpose.*
- *Written notice for the meeting shall be sent to all members not less than 30 days nor more than 60 days in advance of the meeting.*
- *At the first such meeting called, the presence of members or proxies entitled to cast 60% of all votes shall constitute a quorum.*

- *If the required quorum is not present at the first meeting, another meeting may be called and the required quorum at the subsequent meeting shall be on-half of the required quorum at the preceding meeting.*
- *No such subsequent meeting may be held more than 60 days following the preceding meeting.*
- *If we have 82 lots, then a quorum at the first meeting is  $0.60 \times 82 = 49$ , and a successful vote is  $2/3$  of the number voting. If exactly 49 vote, it would pass with 33 votes in favor. For the second meeting, the quorum would be  $49/2 = 25$ . Again, a successful vote is  $2/3$  of the number voting, so if the number voting is exactly 25, it would pass with 17 votes. In either case, if more than the minimum number for the quorum vote, then the number needed to pass increases accordingly.*

Thus, in response to the question of what if a few homeowners oppose, the answer is prescribed by the above requirements for a successful vote. If/when we prepare a notice for a dues increase and/or special assessment, Marise indicated we will include the plain English summary as well as the original document language to describe the requirements.

One homeowner cautioned about the amount of the increase, that the amount should not be so large that it allows the routine expenditures to increase unnecessarily or inappropriately without proper monitoring.

Marise showed a list that she compiled of community needs that are currently unfunded. This is a running list; if anyone has anything to add, please contact Marise. The list includes:

- *Replace dead and dying plants in common area landscaping. Ongoing need.*
- *Clean up the trash in the arroyos and natural common areas (area not landscaped) – minimum two times per year. \$2100/cleanup (based on recent quote). Ongoing need.*
- *Re-do the median on Rocky Pointe. May be able to get some of all of the cost from one or more builders, but that remains to be seen. One-time need, possibly two-time need.*
- *Build a fund for asphalt and major road maintenance (our roads within the gate are privately owned by us so the City of El Paso has no responsibility to care for them.)*
- *Install working camera at the front gate and maintain footage on cloud storage for retrieval as needed. (For example, when someone recently drove into the gate and severely damaged it and the mechanism, we had no camera footage and therefore could not identify who was at fault.)*
- *Maintain a fund for significant repairs – e.g., gate, gate mechanical, gate electronics, lamp posts, canyon bridge, medians, signs.*
- *Recent quotes to repair the inlet gate ranged from \$4500 to \$7500. We could not afford to pay for this, and a homeowner in the construction business repaired it at their own cost. We need to be able to fund repairs like this without relying on the generosity and grace of an individual homeowner. Further, while this will leave the inlet gate mechanism as new, the outlet gate is old and not being replaced at this time.*

- *Annual major sprinkler repairs – our water bills have crept up, possibly due to leakage or maybe overwatering. Landscape contract only calls for doing minor repairs with equipment they have on hand in the truck when they do routine maintenance. In any event, the landscaper charges us for all sprinkler repairs.*
- *Conduct a periodic financial audit – maybe once every 3 years? 5 years? We are overdue for one.*
- *Cover future increases in costs for services such as the management company (who has not raised their charges to us in several years) and the landscaping company.*

*Note: San Clemente Estates shares the costs of maintenance of the median on N. Stanton Street on this side of Festival with the other communities. Although the City of El Paso maintains N. Stanton St., they do not maintain this median. The communities on this side of N. Stanton St. have agreed that it enhances our property values to maintain the median. Therefore, landscaping, water, plant replacement, and sprinkler repairs of this section of N. Stanton St. median are shared costs.*

The meeting adjourned at 6:21 p.m.

**Key Decisions:**

1.	The membership elected Karen Foster to the Board for a two-year term.
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**Tasks and Action Items:**

	Owner	Due Date	Task
1.	Board	Next Board meeting	Consider whether to add something to the landscaping contract to require Green Scene to actively look for and repair sprinkler leaks on a routine basis. (We can discuss a path forward in the March Board meeting but it was not on the Notice as an agenda item for action so if a decision needs to be made, it will need to be on the following Board meeting.)
2.	Sheldon	March 30	Obtain a new demand letter that meets the requirements of current Texas State law to allow reporting delinquent accounts to a credit agency before we send new letters out.
3.	Homeowners	ASAP	Provide a current email address to Dana Properties.
4.	Marise/Sheldon	March 15	Develop a complaint log and post it on the website.

Minutes prepared and submitted by:  
 Marise Textor  
 Board President and Secretary  
 March 2, 2022

## San Clemente HOA Running Decision Log (Starting of January 2022)

*Updated December 13, 2022*

Item	Date Added	Decision
1.	1/5/2022	Director positions: Marise Textor as President and Secretary; Brisa Garcia as Vice-President and Treasurer; Mike Myers as Board Member At-Large
2.	1/5/2022	Architectural Review Committee will consist of: Luisa Miller, Andrew Palafox, Diane Anderson, Patty Russell, and Karen Foster.
3.	1/5/2022	We will establish a written agreement for the job duties or expectations for the homebuilding contractor liaison.
4.	1/5/2022	We will hold the 2022 initial annual meeting on February 15, 2022, at 5:00 p.m.
5.	1/5/2022	ARC will ensure that no roofs constructed in the future are reflective by requiring colors and roof material samples to be submitted to the ARC for approval. They will also ensure the roof pitch in plans meets the requirement.
6.	1/5/2022	San Clemente will maintain the current policy prohibiting tractor trailers (18-wheelers) within the subdivision.
7.	1/5/2022	Analysis of water bills over the last three years shows that San Clemente water use has risen steadily to several times the 2019 amount and that Stanton St water usage is several times the San Clemente amount, seemingly disproportionate, apparently due to leaks and overwatering, problems that we must work expeditiously to resolve based on the excess water bills costing several thousand dollars per year.
8.	1/5/2022	<p>Priorities at this time for the HOA include the following:</p> <ol style="list-style-type: none"> <li>1. Collect the money owed to us.</li> <li>2. Fix the sprinklers.</li> <li>3. Review expenses monthly for changes.</li> </ol>
9.	1/5/2022	The Board gratefully accepts the offer of a homeowner to hire someone as her expense to find and fix sprinkler leaks throughout the subdivision and on the portion of Stanton St. where the three subdivisions care for the medians and sidewalk plantings.

Item	Date Added	Decision
10.	1/5/2022	The Board agrees that we will use the provision in State law to allow electronic notices of Board meetings for future Board meetings, per Texas Property Code Title 11 Chapter 209 Section 209.0051(e)(2). Sheldon will set up the required internet website for posting future San Clemente notices. Sheldon will include a request for email addresses in the mailing for the annual meeting and advise property owners that we will use email and the electronic bulletin board for notice of future Board meetings, that it is "an owner's duty to keep an updated e-mail address registered with the property owners' association."
11.	1/5/2022	Regarding the common rock wall retaining wall within the property boundary of 398 Rocky Pointe, the Board provided three options to the property owner: 1. Change the property boundary on the deed to deed all of the land with the rock wall to the HOA at the property owner expense, 2. Sign the agreement provided previously for the property owner to assume responsibility to maintain the portions of the wall on the private property. 3. Suggest changes to the agreement and negotiate changes with the Board but keeping in mind that the Board is unwilling to assume responsibility to do maintenance work on the private property of a property owner. The property owner will need to determine how they want to proceed.
12.	1/5/2022	The HOA values the work of the liaison to the construction contractors and, with the amount paid for the work being our single largest expense, we will develop a written agreement defining the functional expectations, ban on conflict-of-interest payments, monthly payments, and future review of the agreement and payments as the number of homes under construction decreases over time.
13.	1/5/2022	Dana Properties will send demand letters via certified mail, return receipt requested.
14.	1/18/2022	Dana Properties will not be allowed to incur any expenditures on San Clemente's behalf greater than \$300 except for routine operating expenses without prior express approval by vote of the Board. (by unanimous email vote of the Board)
15.	1/18/2022	Dana Properties will invoice the owners of 398 Rocky Pointe for legal fees incurred by drawing up an agreement regarding the rock wall. (by unanimous email vote of the Board)
16.	3/2/2022	We must adhere to the \$5,000 construction deposit in the amended Declaration.
17.	3/2/2022	We adopted the budget for 2022 for SCE, the budget of \$61,890 with a deficit for the year of \$11,614, pending a positive vote for an assessment increase.
18.	3/2/2022	DP must obtain three bids for anything costing more than \$1000.
19.	3/2/2022	Proceed with plans to seek a dues increase to \$1200 and a one-time special assessment (amount to be determined at a future meeting), both subject to a successful vote of the homeowners as prescribed in the Amended and Restated Declaration, Article IV.



Item	Date Added	Decision
20.	7/11/2022	The Board agreed to move forward with the new Rules of Construction establishing new fees for violations.
21.	8/28/2022	Dues for 2023 will be set at \$1200 per vote of property owners.
22.	8/28/2022	A special one-time assessment of \$1000 per lot will be levied per vote of property owners.
23.	9/20/2022	The Smiths have been added to the Architectural Review Committee.
24.	9/20/2022	The lighting in SCE will be upgraded to LED.
25.	9/20/2022	We will record the Rules of Construction and the Requirements Before Construction with the County as official dedicatory instruments for SCE.
26.	9/20/2022	The ARC will hire a professional architect to review construction plans for each property and DP will bill the cost of this review to the property owner.
27.	9/20/2022	We will leave the gate hours unchanged until construction activity decreases significantly.
28.	11/1/2022	Funds from the special assessment collection will be placed in a "special assessment" account where withdrawals can be made only by a vote of the Board.
29.	11/1/2022	The Board gave final approval to the Rules of Construction and the Requirements to be Met Prior to Construction.
30.	11/1/2022	The 2023 annual meeting dates will be January 8 and February 5 for the second meeting to establish a quorum. Both meetings will be in person at 4:00 p.m.

Roster not included with online meeting notice attachments. Property Owners in San Clemente Estates may obtain a copy of the roster by contacting Dana Properties office. Roster will not be shared with persons who do not own property in San Clemente Estates.