

Paradiso Villas HOA Board Meeting

3rd Quarter – Aug 22, 2023 / 6:00 pm

Minutes of Open Session

Attendance:

Meeting held both via Zoom and In-Person (PAMco Conf Rm 700 Market St. / Bldg 3)

Board Members Present: Jos DenHartog / Michael Goodnow / Leo Holland

PAMco Representative: Nick Chomycia (Community Manager)

Homeowners attending via Zoom: Units: #76 / #77 / #114 / #128

Homeowners attending in person: Units: #2 / #46 / #51 / #70 / #86 / #93 / #121

New Board Members:

President, Jos DenHartog, reported that Teresa Dunegan had retired her position as Vice President / Secretary in July. He expressed appreciation for her years of service in behalf of Paradiso Villas and reported that she would continue managing the community Web site and serving on the Landscaping Committee. DenHartog explained that he had used his appointment rights to fill the two existing vacancies on the Board. He introduced Michael Goodnow, who will serve as Treasurer and complete the two-year term vacated by the late Gary Goble (term expires in November 2024). Leo Holland will serve as Vice President / Secretary and complete the one-year term vacated by Teresa Dunegan (term expires in November of this year). Elections to fill this seat will occur in November of this year. Nomination forms and Ballots will be mailed in October.

Approval of Minutes - for the 2nd Qtr. Board Meeting, May 23, 2023.

A motion was made and seconded to approve the May 23 Board Meeting Minutes. The motion was voted on and passed. These are posted on paradisovillas.com

Financials:

Treasurer, Michael Goodnow, gave a brief overview of the Operating Budget, which has four main categories (Admin, Maintenance, Utilities, Landscaping). He noted that Invoices are consistently increasing in cost, which reflects the 16% Inflation rate affecting all the service contractors on whom we depend. Goodnow reported that expenses are currently \$56,500.00 over Budget and presented a pie-chart of the breakdown. [\$25,000—Sprinkler Repairs / \$20,000—Disaster Cleanup / \$8,500—Landscp. Projects / \$3,000—Tree Trimming] DenHartog pointed out that much of this expense is due to our environmental change in climate. For two consecutive Winters, prolonged freeze events caused massive damage to trees and shrubs. Cleanup was essential and replacement has been ongoing. For two consecutive Summers, extreme heat deteriorated all landscaping. He reported that the Board has added to the Budget a “Disaster Cleanup” category, which he will begin funding next year.

Committee Review / Landscaping Report:

Jos DenHartog reported that this year’s Landscaping “Improvement Projects” are complete and have enhanced 54 areas in the community. A Map showing the distribution is on our Web site. Some unexpected problems arose which increased the complexity and cost of two projects. As a result, several originally planned projects were postponed to next year.

Irrigation has been a hot topic recently. DenHartog stressed that the City of Cedar Park is empowered to enforce its restrictions on irrigation. Twice-a-week watering is normally allowed early in the year. For this reason, we only install shrubs that are considered “water-wise” and well adapted to our area’s climate. Following the recent brush fire, City restrictions were

heightened to once-a-week. Residents can check a Map on paradisovillas.com to see whether their area is watered on Tuesday mornings or Tuesday evenings.

Watering restrictions coupled with extreme heat are severely stressing our lawns, shrubs, and trees. Although our newly installed shrubs are varieties that withstand the heat *typical* for the region, extreme temperatures threaten their under-developed root systems. The only way to prevent widespread damage, is if our residents care enough about the appearance of their homes to help with watering. The Board is appealing to all residents to water the plants around their Unit with a hand-held hose or bucket. This method is never restricted by the City. Also, do not pull out any brown, dead-looking plants. Their root systems may re-sprout in Fall or even next Spring.

Lastly, DenHartog reported that all our trees were trimmed for building clearance in early August. The remaining quantity of dead branches (from the February freeze) made the scope of work far too expensive. We were forced to postpone several items, such as removal of five dead trees. Moving forward, the Board will adjust the service schedule to limit costs. Tree trimming will be done in two phases. In 2024, HALF of our community will be trimmed; the other half in 2025. This frequency is more than sufficient to care for our trees responsibly.

Committee Review / Web site & PAMco Portal:

Secretary, Leo Holland presented the "Schedule of Fines," dollar amounts adopted by the Board at this year's 1st Qtr. Board Meeting. It has been legally filed as an Amendment to the Paradiso Villas CCRs and is now in effect. Holland explained that violations which can be corrected by the resident are "Curable" and are assessed escalating fines until they are resolved. Our "*Covenants, Conditions and Restrictions*" (CCRs or Bylaws) govern the use of our property and the actions of our residents. They are similar in purpose to City Ordinances, and the HOA Board of Directors is held responsible for enforcing them with impartiality. Holland noted that a detailed description of the Fine Schedule is posted on the PAMco Portal in the "*Documents*" section. A copy is also attached at the end of this document (see Exhibit A, pg 5).

President's Report – New Business:

Jos DenHartog reported that every year, the Board closely examines each expense to determine whether any adjustment could be made to create a savings. When possible, he has negotiated contracts for multiple years to stabilize the cost increases. DenHartog noted that he had recently renewed our trash/recycling contract for ten years in order to obtain an \$80,000 savings.

- a) Water Meters & Reading: The monthly cost of reading water meters is \$900 (\$10,800 annually). Unfortunately, the reading can only be done by a company licensed and certified by the State. The company is also responsible for billing, and for the research and settlement of customer disputes. At this time, there is no option for electronic or other remote reading.
- b) Emergency Phone at Pool: Regulations require that emergency phone service be available at the pool. The AT&T expense was \$410 per month. To realize a savings, the Board has changed providers. Initial installation cost was \$500, and monthly fee is only \$50.
- c) Pool Re-plastering: The community pool will require re-plastering. This maintenance was last performed in 2015. The Board is gathering bids at this time. The cost will likely be significant.

Homeowner's Forum:

-- Unit 46 / Homeowner questioned whether any of the damages resulting from Freeze events could be covered by insurance. *No, we checked.* Homeowner concerned about fire danger

posed by the overgrown greenbelt adjacent to the North side of our community. *That area is a water collection / drainage site, and the City prohibits any and all infringement. In 2020, our Board Members obtained City permission to cut back the trees and growth within 6 ft. of our boundary line (from Unit 37 to 75). This was a \$2000 cost for us. Growth has since recurred, and fire danger is a concern shared by the Board.* Unit 93 / Homeowner shared more history concerning this greenbelt area and the City's lack of maintenance. *Since the issue was very concerning to the Homeowners in attendance, Board President DenHartog suggested that interested Homeowners should meet and organize efforts to pressure the City into creating a substantial firebreak along our property boundary. Due to the recent brush fire which burned 50 acres nearby, the City may now be more responsive.*

Adjournment: A motion was made and seconded to adjourn the Open Session; motion passed. Meeting was adjourned.

**AFTER RECORDING, PLEASE RETURN TO:**

Adam Pugh
CAGLE PUGH, LTD. LLP
4301 Westbank Dr., Bldg. A., Ste. 150
Austin, Texas 78746

**CERTIFIED RESOLUTION OF THE BOARD OF DIRECTORS
PARADISO VILLAS CONDOMINIUM COMMUNITY, INC.**

SUPPLEMENTAL FINING POLICY

Cross Reference to that certain Declaration of Condominium Regime for Paradiso Villas, recorded as Document No. 2006098882, Official Public Records of Williamson County, Texas.

CERTIFIED RESOLUTION OF THE BOARD OF DIRECTORS
PARADISO VILLAS CONDOMINIUM COMMUNITY, INC.

SUPPLEMENTAL FINING POLICY

WHEREAS, Paradiso Villas is a condominium regime (the "Condominium") established and governed by that certain Declaration of Condominium Regime for Paradiso Villas, recorded as Document No. 2006098882, Official Public Records of Williamson County, Texas, as amended from time to time (collectively, the "Declaration");

WHEREAS, the Declaration establishes Paradiso Villas Condominium Community, Inc. (the "Association") as a condominium association for the Paradiso Villas Condominium Community and vests its Board of Directors (the "Board") with the authority to adopt rules and regulations relating to the appearance, use and occupancy of the Paradiso Villas Condominium Community, including the exterior appearance, use and occupancy of the Units;

WHEREAS, pursuant Texas Property Code § 82.102(a)(7), the Board is vested with authority to adopt and amend rules regulating the use, occupancy, leasing or sale, maintenance, repair, modification, and appearance of units and common elements, to the extent the regulated actions affect common elements or other units;

WHEREAS, the Board previously adopted that certain Fining Policy, recorded as Attachment IV to the Paradiso Villas Community Manual recorded at Document No. 2006099471 in the Official Public Records of Williamson County, Texas;

WHEREAS, the Board desires to amend and supplement that certain Fining Policy as further set forth below; and

WHEREAS, the undersigned, Leo Holland, as the duly elected, qualified and acting Secretary of the Association, hereby certifies on behalf of the Association that the following Supplemental Fining Policy was duly adopted by the Board at a meeting held on February 21, 2023;

NOW THEREFORE, the Fining Policy is hereby amended and supplemented by the Supplemental Fining Policy (the "Supplemental Fining Policy") attached hereto to include the Fine Schedule (Exhibit "A").

1. **Miscellaneous.** Any capitalized terms used and not otherwise defined herein shall have the meanings set forth in the Fining Policy. Unless expressly amended by this instrument, all other terms and provisions of the Fining Policy remain in full force and effect as written, and are hereby ratified and confirmed. In the event of a conflict between the Fining Policy and the Supplemental Fining Policy attached hereto, the Supplemental Fining Policy shall control.

2. **Effective Date.** This Supplemental Fining Policy for Paradiso Villas Condominium Community, Inc. shall be effective upon its recording in the Official Public Records of Williamson County, Texas.

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SECRETARY'S CERTIFICATION

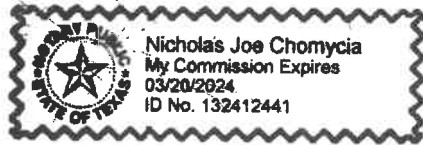
The undersigned Secretary of Paradiso Villas Condominium Community, Inc. hereby certifies that this Supplemental Fining Policy for Paradiso Villas Condominiums was approved by the Board at a meeting conducted on February 21, 2023.

**PARADISO VILLAS CONDOMINIUM
COMMUNITY, INC.**

Leo Holland
Leo Holland, Secretary

STATE OF TEXAS §
 §
COUNTY OF WILLIAMSON §

THIS INSTRUMENT was acknowledged before me this 18th day of July, 2023 by Leo Holland, Secretary of Paradiso Villas Condominium Community, Inc.



[Signature]
Notary Public of Texas

AFTER RECORDING, PLEASE RETURN TO:
Adam Pugh
CAGLE PUGH, LTD. LLP
4301 Westbank Dr., Bldg. A., Ste. 150
Austin, Texas 78746

“EXHIBIT “A”

PARADISO VILLAS CONDOMINIUM COMMUNITY, INC
FINE SCHEDULE

Violation Category	Fine Schedule
<p>First Category – Curable Violation After two Courtesy Letters are sent and the violation has not been cured, a third Letter will constitute a FINE NOTICE.</p> <p>Violation descriptions and reasonable cure periods are stated in each Courtesy Letter.</p>	<p>1st Fine Notice \$100 Fine + cost of certified letter</p> <p>2nd Fine Notice. . . . \$150 Fine + cost of certified letter</p> <p>3rd Fine Notice. . . . \$200 Fine + cost of certified letter</p> <p>Failure to comply after third Fine Notice will merit legal action.</p>
<p>Second Category – Curable Violation – Unit Maintenance</p> <p>After two Courtesy Letters are sent and the violation has not been cured, a third Letter will constitute a FINE NOTICE.</p> <p>Violation descriptions and reasonable cure periods are stated in each Courtesy Letter.</p>	<p>1st Fine Notice \$100 Fine + cost of certified letter</p> <p>Each consecutive . . . \$100 Fine + Month cost of certified letter</p> <p>Fine recurs each consecutive month until violation is cured. Failure to comply after third Fine Notice will merit legal action.</p>
<p>Third Category – Uncurable Violation</p> <p>There is no cure period for this type of violation.</p>	<p>1st Fine Notice Fine* + cost of certified letter</p> <p>* Amount of fine to be determined by the Board of Directors on a case-by-case basis</p>

① Preferred Association Management
700 Market St
Bldg 3
Cedar Park, TX 78613

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS 2023059034

COND Fee: \$42.00
07/18/2023 01:15 PM DLAM



Nancy E. Rister
Nancy E. Rister, County Clerk
Williamson County, Texas