



## *March 2020 Newsletter*

### **Updated Covenants**

Last August, the HOA Board authorized spending up to \$5,000 towards legal fees to update our HOA's Protective Covenants and Restrictions (PC&Rs) and associated Bylaws. These governance documents were written in the 70's and they have been amended in only minor ways since then. The only legal copies of these documents now in existence are photocopies of old photocopies. They are out-of-date with regard to State requirements, best practice, and modern life. When the PC&Rs were written, Solana Beach had not yet been incorporated as a City!

Any changes to these documents require a  $\frac{2}{3}$  vote of the HOA's members (homeowners). To reduce election expenses, we aim to have the updates ready this spring so that they can appear on the same ballot with the annual election of Directors.

At each monthly HOA meeting since August, the Board has been discussing needed changes to these documents. Here are some of the most significant:

1. Clarify which slopes are maintained by the HOA.
2. Nullify architectural approval if work has not substantively commenced within one year.
3. Move the existing policy against short-term rentals into the PC&Rs to facilitate enforcement.
4. Restrict the use of drones to protect privacy.
5. Require that air conditioning units be screened from the street and neighbors' view.
6. Allow placement of discarded items at curbside only if pick-up has been arranged.
7. Clarify allowable placement, size, and duration of yard signs (*e.g.* political and construction).
8. Clarify the procedure for the HOA to assess fines for non-compliance with the covenants.
9. Elect Directors to two-year terms (instead of the current one-year terms), staggered to avoid the risk of 100% turn-over in a single year.

10. Specify the minimum insurance coverage that the HOA must maintain.

11. Require homeowners to supply an e-mail address for correspondence (or an alternative method approved by the Board).

We plan to mail each homeowner a copy of the proposed new documents in early April, to be followed by a community workshop to discuss the documents in detail. Comments received will be considered by the Board prior to mailing-out a final version for voting in May. If we keep to this schedule, the results of the vote will be announced at the Annual Meeting to be held on June 3<sup>rd</sup>.

### **Slopes Report**

A big part of the unique "look and feel" of our neighborhood are the mature trees growing on our slopes. Our HOA manages over 300 eucalyptus and many other trees, including Torrey pines, tipuana, melaleuca, rhus lancia, and pepper trees. We have an arborist out every year to evaluate the health of the trees on our slopes and offer recommendations for pruning and removal. This year, we focused on the western half of the development. As a result of the evaluation, we are balancing and trimming 40 trees and removing 14. We appreciate everyone's cooperation while this work continues this spring!

In our on-going efforts to upgrade our 40-year-old irrigation system, the Board has identified the eastern end of the Santa Luisa slope as the next area for replacement of the old galvanized pipes, valves, and sprinkler heads. Martinez Landscaping will be working on those slopes in March and April to accomplish this important system upgrade.

We will continue to add more drought-tolerant plants and trees as funds allow this spring. We encourage you to continue to notify us of any slope issues that need to be addressed!



**Did You Know?**

Our HOA has certain rights and responsibilities with regard to the slopes in our development, but the HOA does not *own* any of the slopes. You own the slopes on your lot. 158 of the 192 lots in our development have slopes.

Most other HOAs own property as “common area” and that ownership defines those HOAs as “common interest developments” (CIDs). Since we do not own any property, we have been legally classified as *not* being a common interest development. When you read about State law that applies to HOAs, look closely, because it usually applies only to CIDs, not us.

**Financial Report**

For the fiscal year that began in July 2019, we are currently in line with the budget. We anticipate finishing the year slightly over budget, due to higher than expected costs for tree trimming and legal fees, as described in this newsletter. The Board voted to use reserve funds to cover the additional tree-trimming costs, since the arborist strongly recommended that work be done this year. The Board also voted to give priority to restoring the reserve fund to its previous level as quickly as possible.

Included with this newsletter is an invoice for the balance of this year’s slope assessment of \$577 plus the \$25 annual dues. All but 11 of our 192 homeowners paid the previous assessment and we thank you! A finance charge of 10% per annum will be added for those of you who did not.

Many banks and credit unions offer online bill pay as a free service and some of our homeowners currently make their payments this way. To add us to your online bill pay, please set-up payments to: San Elijo Hills HOA, P.O. Box 232, Solana Beach, CA 92075.

**Architectural Report**

We received 41 requests for architectural improvement in 2019. That’s more than double the previous year! Here’s a breakdown by type of project:

Expansion	3	Remodel	9	Solar	7
Landscaping	12	Roofing	2	Painting	8

The form that you need to submit for requesting a change to the exterior design or color of any structure is available on our website at [www.SanElijoHills1.org](http://www.SanElijoHills1.org). The form is not required if you are just maintaining the existing color and style of your home, or for any interior modifications. Changes you make that do not require a request form still must comply with the PC&Rs and Policies that are posted on the website.

**Your Time to Help the HOA**

We are heartened by so many of you making such wonderful improvements to your home and keeping up the look of the neighborhood where we live. It is our hope that with the new influx of residents we will get more people willing to volunteer to help the HOA. It would be nice to have more homeowner participation and new ideas to share. It is our great pleasure to serve all the residents and help maintain our slopes which are looking so good with all the rain we have had. Volunteers are always appreciated for ongoing projects and to keep up our history as proud stewards of the environment. Input is always appreciated. Thank you all so much.

Please contact the HOA with your willingness to help by sending e-mail to us at [info@SanElijoHills1.org](mailto:info@SanElijoHills1.org). In particular, let us know by April 30<sup>th</sup> if you’d like your name to be placed on the ballot for the election of Directors in May. Board meetings are held (at most) one evening per month and they last a couple of hours. It’s a great way to get to know your neighbors!