

Owners Association of Bradford Park, Inc.
Wednesday, September 25, 2024 @ 7:00pm
Zoom Meeting
Board Meeting Minutes

Board members present: Keith Lindsey and Paul Goldfine. The Secretary Director position was still vacant. Property Manager Joe Gains was present. ACC Chairman Jamie Lodes was present. Two homeowners were present.

The meeting was called to order by Keith Lindsey at 7:06pm.

Old Business:

- The Board approved the 2024-07-31 Board Meeting Minutes.
- Masonry Wall update: Keith contacted the Association attorney and that there is a licensing agreement with the Association and the City pertaining to the Bradford Park signs on each side of the wall facing Bradford Park Drive. Keith Lindsey asked the Association attorney if there was an ownership by the City because of the licensing agreement. The Association attorney responded that there is no ownership of that wall and that the City has specifically denied and declined any ownership of that masonry wall. As for placing the signs on the wall, the Association attorney stated he would have to see the signs and if there was a City Ordinance that required it or if the City overstepped its authority. Keith Lindsey also asked the Association attorney if the Association could pay for the replacement of that wall and if it would require a certain majority approval from the owners of the Association or if the Board could do it unilaterally, or if there was a law or City Ordinance that would preclude such an action. The Association attorney responded that Article 12 of the Declaration states that the Association would have to maintain that wall ONLY if the wall is conveyed to it. So, if the Association wanted to start maintaining that masonry wall, it would need a conveyance from the affected homeowners transferring ownership and maintenance of the wall to the Association. Without a conveyance from the affected owners, Article 17 puts fence/wall maintenance on the homeowner of the lot. The Association could replace the masonry wall but then charge back each homeowner the Association's cost. Keith Lindsey stated that if the masonry wall was conveyed back to the Association, that would effectively halt any dissolution movement because the Association would have to dispose of that property prior to dissolution.

Jamie Lodes stated that there was no rule saying that the Association could not pay for the crumbling masonry wall. Keith Lindsey said that for Association property could be paid for with Association funds but that the Association attorney stated that the homeowners, absent a conveyance, would have to pay for the repair/replacement of the crumbling masonry wall. Jamie Lodes asked if a previous Board had put up part of the wall at Association expense in the past? Keith Lindsey responded that, yes a previous Board did replace parts of the masonry fence in the past but that Board believed that the masonry fence was owned by the Association. Keith Lindsey stated that only through his research into dissolution did he find out that the masonry wall was owned by the homeowners, not the Association or the City of Round Rock.

Paul Goldfine made the statement that some homeowners may resent having to pay for what is effectively the back fence, albeit a masonry fence, at Association expense. Paul Goldfine then asked what if the Association paid for the repair/replacement of the masonry wall and the affected homeowners didn't pay the Association back? Who then owns the masonry wall and how does that work? Jamie Lodes believed that the Association could pay for whatever it chose without approval from the homeowners. Paul Goldfine was also concerned about draining the Association's monetary reserves in paying for such a project. Keith Lindsey stated that there was about \$123,000 in the bank and the last bid we received to tear down and replace the wall was for \$81,500. Paul Goldfine stated that he has a concern about the other parts of the wall beyond Bradford Park Drive being made of the same material crumbling in the future and if the Association doesn't dissolve that if the other parts of the masonry wall begins to crumble that the Association wouldn't do the same for those homeowners as is being proposed for the affected homeowners whose property abuts High Country Blvd between Donnell Drive and Bradford Park Drive. Jamie Lodes asked for clarification what part of the masonry wall needs to be repaired/replaced. Keith Lindsey clarified that the entire wall from Bradford Park Drive to Donnell Drive is leaning toward High Country Blvd and will eventually fall. Paul Goldfine stated that the Association is prevented from making improvements to personal property. Keith Lindsey stated he was not clear on that point and had not received clarification from the Association Attorney about that point. Jamie Lodes stated that a lot of people believed that the Association owned that wall and they've been blindsided by the fact that they own the masonry wall, not the Association and not the City of Round Rock. Jamie Lodes stated that current City Ordinance requires any fence facing a public road to be properly maintained and that the City could force homeowners to repair that masonry fence. Keith Lindsey affirmed that to be the case. Jamie stated that this is something that would have to be brought up at an annual meeting for the homeowners to decide. Keith Lindsey stated that is a good idea. Paul Goldfine asked if the homeowner's insurance would pay for any of it. Joe Gains stated that because of the age of the masonry wall, the insurance companies would be disinclined to pay for much of that wall's repair/replacement.

Keith Lindsey asked Joe Gains if he had a chance to get a breakdown of the bid that Boris had given us. Joe stated that he would just ask Boris for a new bid with a breakdown. Keith Lindsey asked Joe to get a breakdown of the bid that Boris gave the Association as well as two other bids, including a breakdown of costs, for comparison. Keith Lindsey stated he would get clarification from Mr. Brown if the Board could do pay for this or if the Board would need a vote of the homeowners to have this work done.

There was discussion about hypothetically how to pay for the wall including a special assessment, raising dues and/or donations. Jaime Lodes stated that the money that is currently in reserves is just going to sit there forever or until the Association dissolves. Jamie suggested that this topic be brought to the Annual Meeting, especially those whose property abuts the crumbling masonry wall with the options available and tell the homeowners that a decision has to be made by the end of the adjournment of the Annual Meeting. Keith Lindsey agreed and stated that was a very good suggestion. Keith Lindsey stated that no matter what the Board does, not everybody will be happy with the final decision.

Keith Lindsey stated that the money that is currently in the Association reserves will have to be spent going after those who have not paid their dues. Keith Lindsey stated that the Board has decided that any homeowner who owes more than \$1,000 will be sent to the attorney for collections. Keith Lindsey also stated that the amount that the attorney charges is paid by the Association and the Association is paid back by the homeowner later. Because of that, the Association has to be careful with how much is in the reserves in order to pay the Association attorney to go after those who do not pay their dues. Paul Goldfine stated that the wall and the dues were two different subjects. Paul Goldfine asked if we could combine those two subjects and appeal to those who owe less than \$1,000 to pay their dues and help out their fellow homeowners. Keith Lindsey stated that was a great idea and asked Paul Goldfine to write that article for the newsletter. Paul Goldfine agreed. Keith Lindsey stated that the newsletter deadline is November 1, 2024.

Homeowner Rebecca Saucedo asked about the uniformity of the masonry wall. Jamie Lodes stated that there are deed restrictions that will address that as well as the ACC Committee would have to approve the materials.

- NNO Preparation: Keith Lindsey then moved on to the next agenda item which was Neighborhood Night Out (NNO). Keith Lindsey said that he was coordinating NNO this year and that he needed tables and volunteers. Rebecca Saucedo volunteered to help. Jamie Lodes said that he would provide a couple of tables. Keith Lindsey asked Joe Gains if he received the invoice Keith sent Joe for the food from Smokey Mo's. Joe Gains stated that he did and that he would make sure that it was paid for by the time Keith Lindsey went to pick up the food. Keith Lindsey stated that the Bouncy House, popcorn machine and cotton candy machine were paid for as well as he registered with the national NNO organization and registered with the City of Round Rock for Police and Fire to come visit. Keith Lindsey asked that anyone who takes any pictures to forward to him to put in the photo gallery on bphoa.info.

New Business:

- Approve rate increase for Goodwin & Co.: The next item on the agenda was a 5% rate increase for Goodwin & Co. Keith Lindsey stated that was not out of line with the rate of inflation. Paul Goldfine agreed. The Board then voted to approve a 5% rate increase for Goodwin and Co.
- Review and approve 2025 Budget: The next item on the agenda was to approve the budget for 2025. Keith Lindsey stated that there were some minor adjustments that would need to be made for postage rates and the cost of publishing the newsletter, but otherwise the budget was fine. The Board approved the budget with minor changes to be done after this Board meeting and to present the final budget to the membership at the 2025 Annual Meeting.
- Set Assessment rate for 2025: The next item on the agenda was the 2025 Annual Assessment Rate. Keith Lindsey stated that assuming that current expenditures do not change all that much, that all the homeowners pay their dues and that there is a projected \$7,000 surplus at the end of 2025, that there was no reason to raise the Annual Assessment

or Dues Rate. Paul stated that if the Association doesn't act on the masonry wall, then he agreed. The Board then approved keeping the Annual Assessment Rate at \$170 for the fourth year in a row. Keith Lindsey stated he would put this in the newsletter.

Homeowner Concerns:

The meeting then went to homeowner concerns. Kendra who lives on Donnell Drive stated that half of Donnell Drive looks fine, but the other half does not. She said that there is a nextdoor neighbor who has had a storage pod in their driveway for three months and that it has to go. Kendra also stated that she was not happy with people not paying their dues and that if others aren't going to pay their dues that she shouldn't have to pay, either. Keith Lindsey stated that the Association is indeed going after those who do not pay their dues once their account goes over \$1,000. Those whose account goes over \$1,000 are referred to the Association attorney for collections. Keith Lindsey stated that last year he published in the newsletter a scenario of how someone who didn't pay their dues at the beginning of the year ends up owing over \$1,000 by September of that same year and gets referred to the Association attorney for collections.

Kendra then asked about how many cars are allowed at a given residence because around the corner on Donnell Drive there are a lot of cars and it makes traversing that road dangerous. Keith Lindsey stated that this question was asked and answered at the previous Board meeting. Keith Lindsey stated that there was nothing that was in the deed restrictions that was enforceable about parking vehicles on the street. In addition, Keith Lindsey stated that the streets are owned by the City of Round Rock, not the Association. However, Keith Lindsey stated that there is no limit to the number of cars that can be legally parked on the street. Jamie Lodes stated that maybe it could be brought up to the City of Round Rock as a safety issue. Paul Goldfine stated that he's encountered situations where a kid on a bicycle was riding in the street because there were cars blocking the sidewalk which is against the law and had Paul not been paying attention, Paul would have hit the kid on the street around that corner on Donnell Drive. Keith then read the entry pertaining to cars parking on the street from the last Board meeting. Keith then stated there is a provision in Article 16 of the Declaration that could be enforced, however, it would require that every vehicle in the subdivision be entered into a database and updated constantly as people get new vehicles. Keith Lindsey stated that no one within Bradford Park would comply with such a restriction. Jamie Lodes stated there might be some signage that the City of Round Rock could put up to help the situation on Donnell Drive. Kendra and Paul Goldfine stated that there are places where you can only park on a certain side of the road on certain days of the week. Jamie Lodes stated that maybe Keith Lindsey could reach out to his contact at the City to see if there is a department head or another employee he could reach out to address the parking issue on Donnell Drive. Kendra said she had no problem sending a City official an email.

Keith Lindsey stated that he forgot to put the garage sale in the last newsletter, though it was on bphoa.info. Keith Lindsey stated that he would have Joe Gains put out an email blast about the garage sale.

Kendra asked what the deed restrictions say about overgrown planters or weeds growing up on the side of a house. Keith Lindsey responded that the deed restrictions don't say anything about planters, however if she wanted to send Keith Lindsey a picture then the Association could send

letters to the homeowner and after a few letters, the Board could vote to have the work done and bill it back to the homeowner.

The subject of zero-scaping and wildflowers came up. Keith Lindsey stated that he read on Round Rock's website that if a resident has a zero-scaped lawn but it's haphazardly done or if the resident doesn't have a site plan, that the City will require them to change it.

Rebecca Sausceda asked if there was a provision in the deed restrictions to force homeowners who rent out their property to do background checks or criminal history. Keith Lindsey stated that there are no deed restrictions that require background checks or criminal histories before renting out their properties. Rebecca Saucedo told about an incident with a current renter within Bradford Park that caused her to be fearful and to fear that the neighborhood is not safe. Keith Lindsey stated that the Association would have to change our deed restrictions to require that of homeowners renting out their properties. Jamie Lodes stated that it would be stupid not to do some kind of background check to keep a potential renter from destroying or damaging the property.

Rebecca Saucedo asked that if the Association does not dissolve that the Association seriously consider adding a provision to the restrictions about requiring a background check and criminal history to the deed restrictions. Jamie Lodes asked if there was something we could do to put signs up saying "this subdivision under video surveillance" because most homes in Bradford Park have some kind of doorbell camera and technically the subdivision is under surveillance. Keith Lindsey stated he would ask the Association attorney about that.

With no more questions or concerns, the Board went into Executive Session.

- Discussed approved budget and increase for Goodwin & Co.
- Discussed strategies for more efficient dues collections.
- Discussed possible masonry wall solutions.

Meeting adjourned at 8:43pm.