

# 2009 BUDGET -- PLAYGROUND FACT SHEET

Vote 'YES' for budget ratification in person on Dec 2 or via e-mail at: [board@tuscanly-hoa.org](mailto:board@tuscanly-hoa.org)

## HOA Responsibility – *We must Act*

**Article VI, Section 1. Responsibility for Common Maintenance Areas.** There exist certain landscaped areas within the plat of Shadowbrook that are herein described as Common Maintenance Areas and are designated for landscaping and community identification purposes. The Association shall be responsible for the maintenance of the Common Maintenance Areas, including the public equestrian trails.



**Article VII, Section 2,** the assessments levied by the Association shall be used exclusively for the purpose of promoting the recreation, health, safety and welfare of the residents in The Properties and in particular for the improvement and the maintenance of properties, services, and facilities devoted to this purpose and related to the use and enjoyment of the Common Maintenance Areas and of the homes situated upon The Properties, including, but not limited to, the payment of taxes and insurance thereon and repair, replacement, and additions thereto, and for the cost of labor, equipment, materials, management, and supervision thereof.

**Bottom Line:** Tuscany HOA is responsible to repair and replace Playground equipment within the Tuscany Common Maintenance Areas per our CC&Rs. The Challenge for HOA is not 'if' but 'how' should it be completed!

## Why address the Problem now — *Children Safety and HOA Liability*

- 1. Limited life remains.** Both wood playground structures have visible signs of dry rot preventing easy repair. Site survey shows potential safety risk of user injury and increased HOA liability risk. Potential life span for swing structure is measured in months and for main structure—months to 1 or more years. HOA will need to tear down both structures within the next 1-2 years.
- 2. Replacement Equipment funds.** Replacement playground equipment requires a HOA multi-year funding plan in order to ease homeowner burden while preserving HOA cash reserves. Planning and budgeting in phases ahead of time seems like a reasonable approach to this cost driven issue.

## Our 2009 Budget Plan – *Position funding for replacement needs now.*

- As developed, the 2009 HOA budget allocates \$25,000 as a line item for the Playground Equipment project. To fund that line item, approximately 50% of budgeted funds will be drawn from the cash reserves while the other 50% will come from the \$55 homeowner dues increase. This action will build a 'kitty' for use in order to jump start the process. Expenditure of budget funds will not occur until HOA approval occurs—currently planned as an agenda item for Annual Meeting (April 2009).
- The Playground Committee has been seeking alternative options with homeowners. All homeowners are invited to participate in the formulation of alternatives and in the recommendation to the HOA.
- Presentation of playground options with costs at the Annual HOA Meeting (usually held in the April timeframe) is being planned. Funding options could range from a single HOA special assessment to a multi-year phased funding approach. Equipment could also be procured in stages, according to Homeowner direction and approval. Funds will not be expended until Board approval is obtained.



## How to participate – *Act today*

- Participate in our online discussion group – Attend Playground meetings. Go to [www.tuscany-hoa.org](http://www.tuscany-hoa.org) and log into the discussion group page. Help frame the solution for April Annual meeting presentation.
- Vote to ratify 2009 budget—attend budget meeting on 12/2, Wilder Elementary School, 7pm.
- If not able to attend the budget meeting, submit ratification vote by email: [board@tuscanly-hoa.org](mailto:board@tuscanly-hoa.org)