

Riviera Gardens

Homeowners Association Newsletter

April 2023

President's Message



Our Riviera Gardens community has come a long way this year with the dedication, hard work and support from board members, committee members, owners and residents.

First, I'd like to acknowledge the turnaround in the investment, care and preservation of our beautiful gardens. One of the first motions passed by the board in June 2022 was establishing the Landscape Committee with chairs Mike Tull and Julie Harris. We've witnessed the time and commitment they and the Committee contributed to this transformation of our spectacular property which we all share and enjoy. Working alongside Paul Roggenkamp, they also developed an RFP (request for proposal) and conducted interviews to hire an experienced landscape vendor for our unique property. This resulted in negotiating and obtaining a renewed contract and relationship with Pro Landscaping.

Second, after establishing the Planning and Implementation committee, chair Paul Roggenkamp and his committee members have provided essential support and information focusing on our electrical panel issues, aging infrastructure and mandatory elevated inspections as required by California state law. With agreement from the board we have secured the services of RTM Engineering Consultants to address and provide a clear path to solving our electrical issues. Required elevated structure inspections under Senate Bill 326 are to be completed by January 1, 2025.

Third, our new Communications/Social Committee, chaired by Laura Fuson has improved our communications and sense of community. The addition of the bi-monthly newsletter, social events and updates to the Riviera Gardens web page have opened several avenues to share important information. From minutes posted to the web, responses to "frequently asked questions", links to forms, and calendars of events, the committee is making information accessible to everyone, no matter where you're located.

My personal thanks to everyone involved! *Dede Wade*

Board of Directors Update

The Annual Meeting and Election for Riviera Gardens Board of Directors was held March 25 at Mizell Center in Palm Springs. A total of 101 ballots were received and counted, resulting in J.D. Baker and Mike Tull being elected for the two board vacancies. Following the meeting the board met to elect officers for the year, as follows; Deidre Wade – President, Scott Daniels – Vice President, Mike Tull – Secretary, Jim Busch – Treasurer and J.D. Baker – Director-at-Large.

Annual Financial Report as of 12/31/22

During the Annual meeting J.D. Baker delivered the annual financial report for the year ending December 31, 2022. At year-end the total assets of the association equaled \$935,465 of which \$860,194 is in reserves. Total operating expenses for the year were \$673,409, against operating income of \$681,212 (after Reserve transfers). This resulted in a net gain of \$7,803 for the year.

Reserves are a restricted category to be used only for major expenses related to long-term capital needs. Everything else is considered Operating expense. Reserve funding continues to be one of our most critical areas of consideration. The board has a fiduciary responsibility to protect the investment of all 221 unit owners. It is especially important that any capital expenditures be thoroughly examined and used only for the most urgent needs of the Association.

2023 began the year with a dues increase of approximately 10%. This supports in part our increased operating costs along with an increase in Reserve contributions requirements.

Planning and Implementation Committee

RTM Engineering visited Riviera Gardens to locate and compile data regarding the main electrical panels and unit sub-panels on Friday, March 17th and will plan additional site visits as necessary once they have had an opportunity to review this information.

Also, as a final step in the preparation of a proposal for the legally required balcony and walkway inspections, Chris Sigler of C.L. Sigler & Associates, conducted his on-site inventory and measurements on March 17th at no expense to the HOA. A full proposal is anticipated in the next 3 weeks for this aspect of the infrastructure assessment and recommendations.

The Planning and Implementation Committee will advise all owners of future developments as more information becomes available.

Paul Roggenkamp

Landscaping Committee Update



For the Landscape Committee it has been a culmination of several months of research, interviews, and meetings in search of a new landscape company. We are pleased to announce that on April 1, 2023 we welcome Pro Landscape back to Riviera Gardens. We offer our sincere thanks to Alphonso and his crew from Blue Sky Landscape for their efforts.

Riviera Gardens was also hit with several storms leaving limbs, branches and even fallen trees in its wake. Thanks to all you who phoned in to report such events and thanks to Alphonso and crew for quick clean ups. A regular tree pruning is scheduled to begin late March for ten days. Please be mindful of the extra equipment and manpower present on our grounds.



Note photos of two of our three monument signs. Each sign has different plantings. These signs are Riviera Gardens way of saying "welcome" to residents and visitors alike. Please take a few moments, have a quick look. Your feedback is important to this committee.

Julie Harris

Communications and Social Committee

Thanks to everyone who turned out for the Valentine's Day Social, Whitewater Preserve Hike, and St. Patrick's Day gatherings over the last two months. It's great to connect with our neighbors.



The Communications and Social Committee continues its casual get-togethers in April. See details below and watch for updates posted near community mailboxes or on the *Friends of Riviera Gardens* Facebook page.

Springtime Fling Adjacent to Pool #1

Saturday, April 22, 4:00 pm

Weather is warmer and flowers in bloom – wrap up your afternoon at a get-together by Pool #1. Come with your favorite snacks, appetizers, and munchies to share with your neighbors. Drinks are BYOB.

Open Forum Board Responses to Questions/Comments at the Feb 24, 2023 General Meeting.

This section of the newsletter addresses questions or comments made by owners during the open forum at board meetings, helping owners stay informed on matters that mean the most to them.

Q. The latest HOA fee increase of 10% for fiscal year 2023 seemed extraordinary, particularly for owners that are on a restricted personal budget. Should owners expect significant increases in their HOA fees in future years?

A. The Board assesses the financial health of the HOA each year and considers the following:

1) *The Association's needs.* Plans, both short term and long term are determined annually, and the HOA budget is established accordingly. The Association must set HOA fees at a level that adequately addresses repairs, maintenance, and future identified priorities.

2) *Costs of goods and services.* Factors such as inflation, supply chain issues, enhanced contractual services and projected capital/reserve funding needs all contributed to the increase in fees this year. Depending on cost pressures in any given year, the Association may have no choice but to increase HOA fees to maintain the property at a reasonable and sustainable level.

3) *Aging infrastructure requires additional resources.* Over the last 7 years, HOA fee increases have been limited, keeping pace with inflation on average. Additional funds are typically required to maintain, repair and replace structures, pools and landscaping as they progress through their useful life.



4) *The Board has a fiduciary responsibility to all owners to address failing infrastructure; particularly when it presents a health or safety issue.* This generally requires funding and does not necessarily occur when it is most convenient for the Association. State legislation can also introduce changes to condo homeowner associations, such as California Senate Bill 326, which mandates an inspection and repair of all deficient exterior elevated elements.

Q. Are owners permitted to record General Meetings held by the Association?

A. Civil Code 4925 of the Davis-Stirling Open Meeting Act, which governs board meetings, allows only two things:

- i) a member's right to attend an open meeting, and
- ii) their right to speak during an open meeting.

There is nothing in the statute that allows members to record HOA meetings.

Q. What agenda items are to be discussed by the Board in the Executive Session as opposed to the General Meeting with members in attendance?

A. Section 4935 of the Davis-Stirling Act outlines the following criteria for Executive Session Meetings:

(a) The board may adjourn to, or meet solely in, executive session to consider litigation, matters relating to the formation of contracts with third parties, member discipline, personnel matters, or to meet with a member, upon the member's request, regarding the member's payment of assessments, as specified in Section 5665.

(b) The board shall adjourn to, or meet solely in, executive session to discuss member discipline, if requested by the member who is the subject of the discussion. That member shall be entitled to attend the executive session.

(c) The board shall adjourn to, or meet solely in, executive session to discuss a payment plan pursuant to Section 5665.

(d) The board shall adjourn to, or meet solely in, executive session to decide whether to foreclose on a lien pursuant to subdivision (b) of Section 5705.

(e) Any matter discussed in executive session shall be generally noted in the minutes of the immediately following meeting that is open to the entire membership. All other matters of a general nature are to be discussed during the General Meeting with members in attendance.

Jim Busch

Third call for Building Ambassadors



We currently have 7 ambassadors and are looking for ambassadors for buildings 1-6, building 10, 11, 13-16 and 18-19. If you would like to step forward and list your building residents' contact information for emergency use ONLY please contact Laura Fuson at Laura@LauraDanaeDesigns.com.

This program is a way to reach out to our neighbors in an emergency, especially after hours or weekends when PPM is not readily available. If you are out of town, you have a committed person who can alert you of any issues impacting your property.

Flood, Fires and Home Insurance Claims...Are You Prepared?

Know Your Policy and Know Your Coverage

Before a crisis happens, review your homeowners or renters' policy to verify which claims can be reimbursed. If a disaster leaves your home uninhabitable, will you be reimbursed for living expenses, such as rent or hotel bills, restaurants meals or transportation.

Prepare For the Adjuster

Once a CLAIM has been filed with your insurance company, you will be assigned and adjuster to assess your losses. Take PHOTOS/VIDEOS of your belongings beforehand so if a disaster happens you have a record of what is in your unit. In hope that your claim will go faster, you will have this information for the adjuster.

Track The Claim Process

While you may get money up front to cover immediate essentials, it could take weeks or months in our cases to get full damage estimate and full payment. In short, you will need to stay on top of your claim until you are fully paid. Keep detailed record of all of your contacts with the insurer so you don't have to start from scratch.

Finally, Consider Getting Help

In some cases, you may want to hire a public insurance adjuster, an independent adjuster that works for you, not the insurer, and represents only your CLAIM. This can make sense if the insurer is offering much less than what you think you deserve. A good WEBSITE, National Association of Public Insurance Adjusters. www.napia.com.

Nancy Lesky



Member Forum – Noise Encroachment from Margaritaville Hotel

The Margaritaville Hotel (formerly the Riviera Hotel) is our close and very often noisy neighbor. For years (and even before fencing, trees, and a short wall was installed along the border between the two properties) the noise was just part of living in Riviera Gardens.

Almost four years ago the owners of the property approached the City of Palm Springs with plans to convert several sections of the Hotel into time shares. A couple of Riviera Gardens residents appeared before the City Planning Commission to testify that such a move would raise the already almost-untenable noise levels along with traffic and occupancy levels. This was the first time the Planning Commission and other City entities took serious notice of our on-going concerns.

The Planning Commission put a six-month stop to any further time-share plans unless the hotel owners could come up with a plan to mitigate the noise. They submitted a list of improvements. Things quieted down. Then Covid hit, and the Hotel closed. Unfortunately, the current lease-holder, Margaritaville, does not honor all of the earlier promised improvements. It has been a constant struggle, especially for RG residents on the Hotel's borders, to keep the noise from the Hotel at a legal decibel level.

We recognize that the Hotel has the right to use their facilities as they see fit. But we also have a right to our legal peace and quiet. Residents are encouraged to start calling these numbers (in order) if the noise reaches nuisance levels. Margaritaville Resort 24-hour hotline for noise or security problems. 760-668-05351 (This number is not for hotel reservations or services.)

If that doesn't work, the next call should be to the non-emergency police line. 760-327-1441 (this will automatically register the complaint with Code Compliance.) They will ask you for the Hotel address – 1600

N. Indian Canyon Drive, as well as your information. Request either a call-back for status or just ask to have it documented otherwise a police officer might come out in person.

Contact Code Compliance directly. 760-778-8434 or CodeComplianceRequest@palmspringsca.gov. They may or may not send a Code Compliance officer out to check the noise. Jasmine Waits, in charge of City Events Permits may be reached at jasmine.waits@palmsprings.gov or by phone at 760-323-8276. Waits is meeting next week with Golden Voice, festival planner for Coachella, Stagecoach, and Splash House, to discuss moving the Splash bus away from the Riviera Gardens border and having the city monitor the music level with code officers.

Karen Reyes and Maureen Fitzpatrick

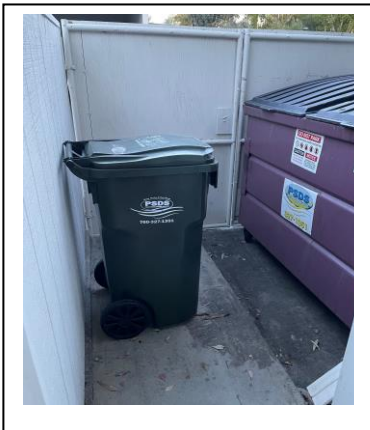
Bulky Item Pickup

Residential and single-family subscribers are eligible for FREE scheduled collection of appliances, furniture, eWaste, and tires. These bulky items cannot exceed 150 pounds per item and must be easily lifted by two men. This free service must be scheduled and includes 12 bulky items per year (2 items per pick-up). Items that don't meet these requirements will be subject to charge.

Please call (760) 327-1351 ext. 313, email or chat with our customer service staff to schedule a pick-up and to receive instructions about placement of the articles for collection.

Bulky items can also be collected during the Citywide Clean-Up events in April and October. You are afforded an additional 2 items per household during these events and they can be placed at the curb on the Monday morning of the Clean-Up.

Green Waste Disposal at Riviera Gardens



On the east side of building 7 (just a good stone's throw from pool #2) in the dumpster corral is a new plastic green recycle bin. There is only ONE green recycle container at Riviera Gardens. This is a pilot test program for organic waste which includes the following:

Yard waste is considered leaves, grass clippings, weeds, flowers, tree trimmings, small twigs and branches. Large logs, dirt, rocks, and pet waste should NOT go in the organic waste bin.

Items considered food waste include coffee grounds, tea bags, fruit, vegetables, cooked meat, bones, eggs shells, food scraps and food- soiled paper. Other things that can go in the organic waste bin include pizza boxes, paper products like paper plates and towels with food on them, and most coffee and tea filters.



On trash pick up day (Wednesdays at building 7) yard waste should be loose in the green bin and food waste should be contained in a paper bag. As a side note, be quick with your "deposits". Knats and flies sneak out when you open the lid!

Laura Fuson

Share the News!

The Riviera Gardens HOA newsletter is distributed electronically via email. Twenty-five additional printed copies are also placed throughout the community at the mailbox locations. Committee chairs and community members are reminded that submissions for the June newsletter (200 to 250 words maximum) are due by May 20 to Laura Fuson at Laura@LauraDanaeDesigns.com