

Board of Trustees Talking Points for BOT Meeting April 27th, 2024

GM: General Manager

AGM: Assistant General Manager

OS: Office Staff TH: Town Hall

Core Agenda Items

1. Review of minutes of previous monthly board meeting.
2. Review of summer of previous monthly board meeting.
3. New Business
4. Old Business
5. General Managers Report
6. Report of Officers: Begins Below

New Agenda Items

1. Member Notice: Online Advertisements on Social Media

- a. Riviera program to give lots away to new home builders. Risk of being misled or false entertainment. Zombie Cookies. At no point is the Riviera offering free lots. These are fake articles designed to obtain your information using your browser.
- b. Reminder: No one is going to call you to help you clean your computer. Never give out your bank details, click links or give access to your computer remotely to anyone.
 - i. *A zombie cookie is a piece of data usually used for tracking users, which is created by a web server while a user is browsing a website and placed on the user's computer or other device by the user's web browser, similar to regular HTTP cookies, but with mechanisms in place to prevent the deletion of the data by the user.*

2. Satisfaction of Liens Signed YTD 2024

- a. *The board has signed 80 SOL in 2024*
- b. *These were all handled in-house by our staff.*

3. Member Reminder: Full Time, Rentals and STRs

- a. All owners are responsible for actions taken by themselves, their guest, their renters, their family, people they lease to....
 - i. *Section 2. Levying of Fines and Penalties. Such fines and penalties are to be levied upon any Owner for actions of the Owner, or of family members, or any agent, contractor, licensee, lessee, or invitee acting on behalf of the Owner who shall have been determined by the Board, according to the procedures set forth herein, to have violated the Riviera Covenants, Bylaws, Rules or Regulations. Page 24 of current edition.*
 - ii. *Airbnb or other short-term rentals would qualify as a "lease" since the host is being paid money (or rent) in exchange for allowing the guest to occupy their home.*

4. Member Question: What can be done about the aggressive dog issue?

- a. In a scenario where a member's dogs were reported as aggressive it would be recommended that the offended member or guest report the issue to the county and request that the owners receive a ticket for the aggression, not a warning. Warnings have no legal effect, but three tickets result in removal.
- b. In addition, a could review such actions and could find the member in violation of section 7.06 Noxious or offensive activity.
- c. Additionally, if said owner was breeding the dogs they would also be in violation of section 7.05 which prohibits breeding of dogs for commercial use.
- d. The member could request a hearing in front of the board.
 - i. *SECTION 7.05. Pets. No animals or fowl shall be raised, kept or permitted on any Lot, except only domestic dogs, cats, caged birds and aquariums. Dogs and cats shall not run at large and shall not be kept, bred, or raised for commercial purposes or in numbers that violate County ordinance or adopted Riviera Rules.*
 - ii. *SECTION 7.06. Noxious and Offensive Activity. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done or maintained thereon, which may be or become a nuisance to the neighborhood or detract from its value.*

5. Member Question: What can be done about the STR discharge of a firearm or a party that gets out of control?

- a. In a scenario where someone discharges a gunpowder weapon within the Riviera would be in violation of section 7.06 as stated above. Noxious has several definitions and in this case being physically destructive or

harmful to humans. In this same scenario they would also be in violation of section 7.13 which covers the discharge of a firearm.

- b. In a scenario where the person who committed the infraction was not a member the infraction would then fall onto the actual owner of the property.
- c. In a scenario where the weapon was discharged six times a fine of \$2500 per discharge could be applied.
 - i. *SECTION 7.13. Firearms. The discharge of firearms within The Subdivision is absolutely prohibited.*
 - ii. *Section 2. Levying of Fines and Penalties. Such fines and penalties are to be levied upon any Owner for actions of the Owner, or of family members, or any agent, contractor, licensee, lessee, or invitee acting on behalf of the Owner who shall have been determined by the Board, according to the procedures set forth herein, to have violated the Riviera Covenants, Bylaws, Rules or Regulations.*

6. Member Concern: Did a member get a letter from the Riviera allowing them to build a six-foot fence in the front yard?

- a. No letter was issued to any member authorizing a six-foot fence.
- b. This would be in violation of county and HOA rules.

7. Bylaw/CCR Vote September 2024

- a. We will use the same format they used in 2013 to vote.
- b. Each item will be listed on its own to be voted on
- c. It is being considered that we will also be voting on CCR/ACC at the same time pending more details from the community.

8. Compliance Initiative Q2

- a. 7.02 Maintenance of Structures and Landscape.
All structures upon a Lot shall at all times be maintained in good condition and repair and be properly painted, stained or otherwise finished. All trees, hedges, shrubs, gardens and lawns shall be neatly maintained and cultivated so that the Lot is not detrimental to the neighborhood as a whole. Slope banks upon any Lot shall be properly watered and maintained by the Owner thereof.

Old Agenda Items with Updates

1. Reminder Community (update)

- a. Pancake Breakfast Fire Department May 27th 8am-Noon
- b. PC Emergency Management Open House May 2nd 5:30pm
- c. Time to renew your Fire Pits at the Local Fire Department
- d. First round of pothole fixes has been made by the county report any unfixed issues to rccboard@rivierclub.org
- e. Traffic review for Island drive and 105th happening this summer by PC

2. Reminder Properties out of compliance (repeat)

- a. *Section 9. The Board of Trustees may, by specific action, authorize the Riviera Attorney to pursue injunctive relief and request the Architectural Control Committee to rescind their approval of the construction or development project. Page 26*
- b. The board has directed staff to take additional action on lots that have failed to meet the ACC expectations or fallen out of compliance.

3. Membership Cards (update)

- a. New Cards are available at the office.
- b. Staff have issued 335 cards for 300 lots.
- c. We have agreed that cards can now be issued and requested Digitally. However, we are looking at a way to make this less labor-intensive on staff in the future.
- d. Government ID; you may be asked to provide a valid ID when presenting your membership card to a staff member.

4. Policy (update)

- a. ACC and MSR are up for review at this time.

5. Website Update

- a. Minutes, Summary and Talking points are posted on the website in one format or another.
- b. Based on feedback and experience we've come to a new perspective of providing meeting information and hope that reflects in future updates.

6. Committees (update)

- a. All committees are full currently.
- b. We are still working on getting meeting minutes gathered up to be posted to the website in the future.

7. Reminder Compliance Initiative Q1: Propane Tanks (reminder)

- a. *SECTION 7.11. Fuel Tanks. No fuel tank shall be located above ground on any Lot, except in accordance with Pierce County Regulations, and unless screened from view.*
- b. Next Steps: now that members have had a full quarter of notification, we will begin the process of sending notices out to members whose tanks are visible from the street.

Town Hall Topic (reminder info)

1. Questions, rumors or open topics that are on members minds.

2. Micro Parks in each of the 28 sections of Riviera?

3. ACC documents not voted on by members.

- Regarding concern that CCRs and Bylaws and ACC site development Boards made changes without Membership Approval
- Membership voted on CCRs in 1999, this is accurate and registered correctly with the County. #9907210373 07-21-1999
- Membership voted on Bylaws in 2013, this is accurate and registered correctly with the County. # 201310310155 10-31-2013
- July 28th, 2007, Motion 2007-07-06 Board approved an ACC site development plan to be given to membership for vote.
- Our current documents say the following for ACC
 - i. Board of Trustees Approved - 07/28/07 (Motion # 2007-07-06) Membership Approved: 09/29/2007 - Recorded with Pierce County: 02/06/2008
 - ii. Recorded with county 09-29-2008
 - iii. Not voted on by members, per county, per folders
 - iv. Rescinded by Board 04-28-2018
 - v. Motion#2018-03-04 Unanimously voted to rescind; see below quote from document.
“On April 28th, 2018, the Board of Trustees determined that the process and procedures referenced in recorded Site Development Documents are not required to be recorded and better left to be managed by the Board of Trustees and its duly authorized agents. Accordingly, on April 28th, 2018, the Riviera Community Club Inc, Board of Trustees, acting pursuant to its authority under the Bylaws, voted to rescind the Site Development Documents.”

c. **However**

*SECTION 6.02. **Trustee’s Authority to Recommend for Adoption Rules** Regarding Land Use, Architectural Requirements, and Development of Individually Owned Property. The Trustees shall have the power and authority to recommend to the members for adoption reasonable Rules regarding the development, construction, alteration and use of all individually owned real property within the Subdivision, including, but not limited to, Rules regarding the exterior design, materials, color and finish for all improvements. The minimum standards for these Rules shall be the Pierce County Uniform Building Code (UBC) except were amended by these Covenants. These Rules shall not be inconsistent with these Covenants. **Any Rules recommended by the Trustees shall be subject to adoption by a vote of sixty (60) percent of the Lots** present or represented by written proxy and entitled to vote at any annual or special meetings of the membership called for that purpose and at which a quorum is present. After the recording of these Covenants, no dwelling shall be constructed or placed on any residential Lot unless it shall comply with these Covenants and the minimum architectural requirements recommended by the Trustees and adopted by the membership as provided herein.*

Currently

Membership was informed on March 30th of the issue brought to them by another member. We’ve asked the community for any additional documentation in regard to this concern, documentation supporting the changes was lacking and no vote could be found in the official records.

Today we will have a Town Hall meeting to discuss this and obtain community feedback in regard to the next steps.