

Pacific Springs Homeowners Association

A Nebraska Nonprofit Corporation

**WELCOME TO THE 2020 ANNUAL
MEETING OF THE PSHOA
MEMBERSHIP**

**SEPTEMBER 2020 – VIRTUAL
MEETING**



www.pacificspringshoa.org

2020 PSHOA Annual Meeting

● Agenda

The meeting was not held in person this year due to COVID-19 and logistical issues gathering everyone together. Please see the following slides for updates and information.

Quorum Check – Yea/Nay

**AS OF TODAY 207 OF 242 MEMBERS HAVE PAID
THEIR DUES IN FULL (PRINCIPAL & INTEREST)**

**THUS 21 PAID MEMBERS @ 1 MEMBER PER LOT,
EITHER IN PERSON OR VIA PROXY ARE
REQUIRED FOR A QUORUM – NO QUORUM, NO
“OFFICIAL” MEETING TONIGHT**

Have You Signed In?



If A Quorum Is Not Present Today, What Happens?

- ➡ Quorum rules were temporarily suspended by the board for the in person meeting. Any quorum is in relation to the amount of ballot received by dues-current homeowners.

Member Properties With Unpaid Dues* *Per the Declaration Liens Exist on All*

OF 242 TOTAL MEMBERS

207 MEMBERS HAVE PAID AS OF TODAY

35 MEMBERS HAVE NOT PAID AT ALL

***Per PSHOA Records as of Today's Mail**

Declaration Language on Delinquent Dues or Assessments

The assessments and dues, together with interest thereon, costs and reasonable attorneys' fees, shall be the personal obligation of the Owner of each Lot when the dues or assessments first become due and payable. The dues and assessments, together with interest thereon, costs and reasonable attorneys' fees, shall also be a charge *and continuing lien* upon the Lot in respect of which the dues and assessments are charged. The personal obligation for delinquent assessments shall not pass to the successor in title to the Owner at the time the dues and assessments become delinquent unless such dues and assessments are specifically assumed by the successors, but all successors shall take title *subject to the lien* for the dues and assessments, and shall be bound to inquire of the Association as to the amount of any unpaid assessments or dues.

Pacific Springs

City of Omaha, Horgan-side (former SID 383)

**West Village
Pointe Area**

**East Villas —
Not
Members of
PSHOA**

PACIFIC SPRINGS (LOTS 1-179)
DEVELOPED BY: LANOHA DEVELOPMENT

0' 100' 200' 400'
SCALE IN FEET

PACIFIC SPRINGS (LOTS 180-273)
DEVELOPED BY: HORGAN DEVELOPMENT COMPANY

PACIFIC SPRINGS VILLAS EAST

**SID 402,
Residences on
the Green; PS
Golf Course,
Pacific Springs
Village, etc.
Annexed by City
in 2017**

**City of
Omaha,
Lanoha-side
(former SID
398)**

PACIFIC SPRINGS

Minutes of 2019 Annual Meeting

INCLUDED WITH ANNUAL MEETING NOTICE



PSHOA 2020 Annual Meeting

► Current Board of Directors/Officers

- President: Scott Fuhrman– 2 Yr Expires 2020 – on ballot
- Vice President & Secretary: Bob Lamberty – 1 Yr Term Expires 2021
- Treasurer: James Canney – 2 Yr Term Expires 2020 – on ballot
- Director at Large: Jeff Freygang – 2 Yr Term Expires 2020 – on ballot
- Director at Large: Brent Wakefield– 1 Yr Term Expires 2021
- Director at Large: Paul Witt – 2 Yr Term Expires 2020 – on ballot

Welcome to Our Newest Members

**PURCHASED PROPERTY IN
PACIFIC SPRINGS SINCE THE
LAST ANNUAL MEETING**

Welcome To Our Newest Members

10/2019	17706 Marcy Street	Ronald & Nancy Wallquist
11/2019	17880 Harney Street	Sunil & Lala Luthra
12/2019	17522 Leavenworth Street	Ian & Breana McGregor
12/2019	17605 Jones Street	Gary & Tammra Bruechert
1/2020	17508 Howard Street	Dustin & Stacie Tovar
1/2020	17243 Douglas Street	Mark & Laura McElligott
3/2020	17110 Harney Street	Maureen Giesler
4/2020	415 S 179th Circle	Amos Huachun & Rena Xu
5/2020	17211 Douglas	Patrick & Marena Kleine
9/2020	335 S 178th Ave	John Hiller & Anne Page
9/2020	17879 Harney Street	Justin & Cassandra Paben

Proof of Notice of Meeting

**PER AMENDED BYLAWS, MEETING
WILL BE HELD IN SEPTEMBER
EACH YEAR**

**FORMAL NOTICE MAILED TO PSHOA
MEMBERS ON AUGUST 1, 2020**

**SUSPENSION OF IN-PERSON 2020
MEETING WAS INCLUDED IN
AUGUST 1 MAILING.**



Trees in the PROW

- **Summary of Declaration Provision re: Trees**
 - Lot Owner is responsible to repair and maintain in good condition any and all trees, shrubs or bushes placed in and along the public sidewalk easement area on their Lot.
 - Should such trees, shrubs or bushes be removed, die, or deteriorate into a poor condition, the Lot Owner, at its expense, is responsible for replacing the trees, bushes or shrubs with trees, bushes or shrubs of the same or similar quality.
 - In the event replacement does not occur upon thirty (30) days of written notice from the PSHOA, then the PSHOA may cause such replacement to occur and charge the owner of the Lot for such replacement as allowed hereinafter.



IMPORTANT INFORMATION REGARDING TREES IN THE PUBLIC RIGHT-OF-WAY (PROW) ALONG PACIFIC SPRINGS STREETS

- 1. NEW INFORMATION FROM THE CITY OF OMAHA REGARDING ASH TREES & OTHER SPECIES OF DEAD/DYING TREES IN THE PROW ALONG OUR STREETS**
- 2. CITY APPROVAL PROCESS FOR REMOVAL & REPLACEMENT OF PROW TREES**
- 3. OPTION FOR PSHOA MEMBERS TO HAVE THE PSHOA REPRESENT THEM IN SUBMITTING INFORMATION FOR CITY APPROVAL**
- 4. CONTINUATION OF PSHOA PARTIAL REIMBURSEMENT PROGRAM FOR REPLACEMENT OF PROW TREES**
- 5. INFORMATION FROM PACIFIC SPRINGS DECLARATIONS (COVENANTS) REGARDING FAILURE OF MEMBERS TO REPLACE DEAD/DYING PROW TREES**
- 6. CITY REQUIREMENTS REGARDING LOW HANGING BRANCHES OVER STREETS AND PUBLIC SIDEWALKS**

City List for Replacement Trees

**Honey Locust
Black Oak
Burr Oak
Chinkapin Oak
Heritage Oak
Shumard Oak
Shingle Oak
Swamp White Oak
Overcup Oak
Chestnut Oak
Northern Red Oak
White Oak
Kimberly Oak
Scarlet Oak
Hackberry
Kentucky Coffee Tree
Autumn Spire Red Maple
Autumn Blaze Maple
Freeman Maple
Black Maple**

**Legacy Sugar Maple
Red Sunset Maple
Greenspire Linden
Bloodgood London Plane Tree
Columbia London Plane Tree
Triumph Elm
Frontier Elm
New Horizon Elm
Valley Forge Elm
Redmond Linden
American Linden
Silver Linden
Yellowwood
Ginkgo
Hickory
Tulip Tree
Northern Catalpa
Turkish Filbert
Golden Rain tree**

Trees along the streets in front (or on the side or in the rear) of the private property Lots are typically in the **public right-of-way**. Generally, there should be two (2) trees in front of, on side of or in rear of (if rear faces street), each residential Lot. Most lots only have two (2) in the front.



Legend:

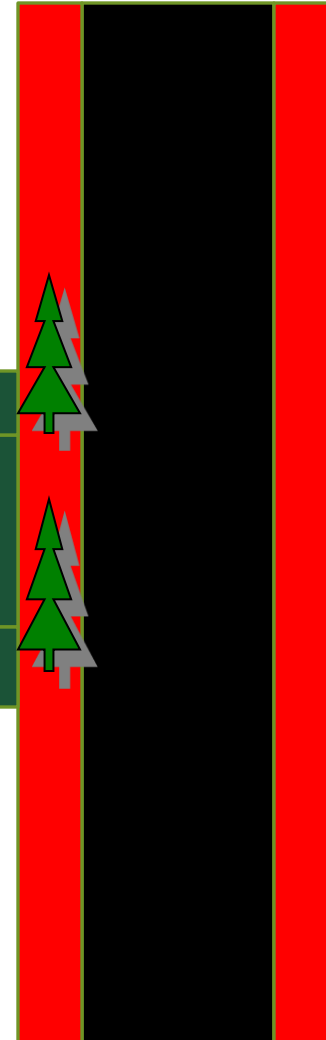
Orange and Dark Green: Private Property Lot

Dark Green: Utility easements on private property Lots – 5' to 16'

Black: Concrete Street (~25 ft)

Red: Public Right-of-Way (sidewalk area) on each side of street (~12.5 ft ea side - measured from curb)

Typical 50' Wide
"Street" (including
PROW)



NOT TO SCALE

PSHOA 2020 Annual Meeting

**PAST YEAR BUDGET/ACTUAL
EXPENSES & NEW YEAR BUDGET**



Board Approved 2020/2021 Budget

September 1 thru August 31

Expenses	Budget
Grounds Maintenance & Improvements	\$31,000
Lighting	\$125
Tree Reimbursements	\$4,000
Community Events	\$700
Legal Fees / Liens	\$3,875
Insurance	\$2,100
Holiday Deco @ All 4 Entrances	\$6,000
Office Expense / Misc	\$2,100
Postage	\$1,000
OPPD	\$1,400
MUD	\$1,800
Management Company Fees	\$8,400
Total Budgeted Expenses	\$62,500

PSHOA 2019/2020 Budget v. Actual

Expenses	Budget	Actual
Grounds Maintenance & Improvements	\$31,000	\$46,752.45
Lighting	\$125	\$1,101.63
Tree Reimbursements	\$4,000	\$1,500.00
Community Events	\$700	\$1,349.33
Legal Fees / Liens	\$3,875	\$0.00
Insurance	\$2,100	\$3,370.00
Holiday Decs @ All 4 Entrances	\$6,000	\$4,208.35
Office Expense / Misc	\$2,100	\$3,618.83
Postage	\$1,000	\$313.50
Utilities - MUD & OPPD	\$3,200	\$4,147.09
Management Company Fees	\$8,400	\$8,400.00
Bank Fees	\$0.00	\$0.00
Returned HOA Dues	<u>\$0.00</u>	<u>\$0.00</u>
Total Budget/Expenses	\$62,500	\$74,761.18

Number of PSHOA Members/Dues Paying Lots 242

2018/2019 Annual Dues per Lot: \$250

Total Income from Dues (assumes no delinquents) **\$60,500 plus \$2,000 from PS Village for a Total of \$62,500**

Actual v. Budgeted Income/Expenses (9/1/18 to 8/31/19)

Budgeted Expense	\$62,500
Budgeted Income	\$62,500 (\$250x242 plus \$2K)
Actual Expenses	\$74,761.18
Actual Income	\$63,524.87*
Budget Overage	\$(11,236.31)
End of Year Reserve	\$65,655.18 Savings

***Includes Non-Dues Income; e.g.,
Retirement Village Contribution &
Interest**

Annual Dues – 9/1/20 to 8/31/21

- For 2020/2021, the PSHOA Board elected to maintain dues of \$250 annually.
- The annual dues at \$250 per lot provides for \$60,500 annual income based on 242 member Lots; Five (5) Members are still delinquent from last year. (2019/2020)
- Pacific Springs Village contributes \$2,000 per year to support maintenance of the 174th Entrance
- Total theoretical income is \$62,500
- The HOA continues to have a “reserve” for unexpected expenses.

Rationale for the Keeping Dues Level

Tree related expenses

- **Anticipate numerous requests for Tree Reimbursement @ \$150/tree due to City taking down more Ash Trees.**
- **Possible new tree removals/replacements along Golf Course PROW**

Board plans to purchase new Holiday Decorations and to improve the attractiveness of the entrances during the Holidays.

Entrance on 178th was completely revamped last fall to avoid further out-of-contract costs in the future.

All entrance signs were re-painted and sealed. Expected life was extended 10-12 years instead of possible replacement.

Annual Dues

- ➡ The current savings account “reserve” of **\$ 65,655.18** is just that, a reserve that will cover unexpected, non-budgeted expenses, over and above the Annual Dues income.

PSHOA Annual Dues History

2020/2021 - \$250/year

2019/2020 - \$250/year

2018/2019 - \$250/year

2017/2018 - \$250/year (+ \$25)

2016/2017 - \$225/year

2015/2016 - \$225/year

2014/2015 - \$225/year (+ \$13)

2013/2014 - \$212/year (+ \$42)

2012/2013 - \$170/year (+ \$13.75)

2011/2012 - \$156.25/year

2010/2011 - \$156.25/year

UNMC Expansion Project

- BOTH PROPERTIES WERE ACQUIRED BY NODDLE COMPANIES IN EARLY 2020.
 - PROPOSAL IS TO SHUT DOWN 175TH AND REROUTE TRAFFIC ON NEW STREET THE RUN SOUTH OF THE NEW EXPANSION (NATHAN ST).
 - VOTE WAS TAKEN VIA MAIL ON RESIDENT PREFERENCES. HOA VOTED TO NOT ALLOW EMPLOYEE PARKING ACCESS FROM THE SOUTH
-
- PROJECT IS NOW ON HOLD AS PREVIOUSLY CONSTRUCTED. WE WILL BE UPDATING EVERYONE AS WE HAVE ADDITIONAL INFORMATION

Want to Know What's Happening in the City or County?

OMAHA CITY COUNCIL & DOUGLAS COUNTY COMMISSIONERS WEEKLY AGENDAS

[HTTPS://CITYCLERK.CITYOFOMAHA.ORG/CITY-COUNCIL/AGENDAS](https://cityclerk.cityofomaha.org/city-council/agendas)

[HTTPS://COMMISSIONERS.DOUGLASCOUNTY-NE.GOV/BOARD-
MEETINGS/AGENDAS](https://commissioners.douglascounty-ne.gov/board-meetings/agendas)

The Pacific Springs Golf Course

OUR NEIGHBOR

The Pacific Springs Golf Course

The Declaration(s) that govern our properties include a Section re the Golf Course. If you've never read it, you should.

In general, the Golf Course has been a good neighbor.

The Golf Course is privately owned; i.e., it is NOT PUBLIC PROPERTY. The property used for the Front 9 is owned by the Lutheran Ministry Foundation and as we understand it, is leased by the Golf Course, and the Back 9 property is owned by Pacific Springs Golf LLC.

The Back 9 about our properties. There is a separate Declaration for the Back 9 (next slide).

Pacific Springs Golf LLC is managed by Landscapes Unlimited <http://www.landscapesunlimited.com/>

The Pacific Springs Golf Course

***Declaration of Covenants and Restrictions
Concerning Lots 177, 178, 179, Outlot C, 270, 271,
272, and 273 Pacific Springs dated December 5, 1996***

**Conveys above Lots from Lanoha and Horgan to
Pacific Springs Golf, LLC with certain restrictions**

**Establishes a “restriction period” of 30 years from
Declaration signing (runs through 2026).**

**During restriction period the Lots can only be used
as an 18-hole golf course, or as a Park open for the
exclusive use of the owners/residents of the
Lanoha/Horgan lots.**

**Includes a number of other provisions, some
involving the PSHOA.**

PSHOA 2020 Annual Meeting

THE PAST YEAR



The Past Year – September 1 – August 31

- **Renewed contract LL&B (Lawn, Land & Beyond) for grounds maintenance. Renewal is on a year to year bases, currently as same cost as originally agreed.**
- **Completed restoration of all 4 entrance signs.**
- **Installed permanent landscaping at 178th middle island and north island.**
- **Continued “PROW Tree Reimbursement” program as incentive to property owners to comply with their responsibility to replace dead/dying trees along the PROW.**
- **Decided not to sponsor yard sale due to low interest and attendance.**
- **No social events this year, as COVID-19 did not allow for large gatherings. We intend to roll 2020 budget for community events in 2021 and host more events if possible.**

The Past Year – Sep 1, 2019 to Aug 31, 2020

36 External Lot Improvements Approved

28 Letters/E-mails sent re: Covenant Violations

Covenants, Conditions, and Restrictions

A Few Reminders

REFER TO THE DECLARATION THAT GOVERNS **YOUR** PROPERTY; THEY ARE SIMILAR BUT NOT ALL THE SAME!

THE DECLARATIONS THAT GOVERN PSHOA MEMBER LOTS ARE AVAILABLE ON THE PSHOA WEBSITE UNDER ***IMPORTANT LEGAL DOCUMENTS***

THE PSHOA AS DECLARANT FOR NON-VILLAS LOTS IS CHARGED WITH ENFORCING THE PROVISIONS OF THE DECLARATIONS

Enforcement Authority & A Sampling of the Covenants Requiring the Most Board “Reminders”

IN ADDITION TO THE PSHOA AS DECLARANT, **EVERY PROPERTY OWNER** HAS THE RIGHT TO ENFORCE, BY A PROCEEDING AT LAW OR IN EQUITY, ALL RESERVATIONS, CONDITIONS, RESTRICTIONS AND COVENANTS



PSHOA Declarant Responsibility

- The Board has been advised that there are Members who aren't aware of the Board's authority to enforce the Covenants.
- The Board wants to assure the entire Membership that it does in fact have that authority, and has had it since June 21, 2007, for the Lanoha side and from June 25, 2007, for the Horgan side. This occurred when the then Board on behalf of the PSHOA accepted Assignments from both Lanoha and Horgan. The Assignments include all Declarant authority as provided in the Declarations (including taking legal action as the Board deems necessary).
- The two Assignments are on the PSHOA Website under *Important Legal Documents*.

From The Declaration That Came With the Property You Purchased

The decision to approve or refuse approval of a proposed Improvement shall be exercised by Declarant in a reasonable manner to promote conformity and harmony of the external design of the Improvements constructed within the Pacific Springs subdivision and to protect the value, character and residential quality of all Lots in a manner consistent with *(the)* Declaration.

The Declaration (Covenants, Conditions & Restrictions) v. Omaha Municipal Code

**THEY DON'T ALWAYS AGREE
AND ONE IS NOT A
SUBSTITUTE FOR THE OTHER**

Covenants, Conditions & Restrictions v. Omaha Municipal Code (OMC)

Just because you obtain a permit from the City does not mean you have the authority to implement the permit if it is contrary to the Declaration that governs your property.

Just because OMC allows for certain things does not mean those things are allowed in Pacific Springs (if contrary to the provisions of the Declaration)

- **Boats, Campers & Trailers Stored in Driveways**

LIMITED TO 20 TOTAL DAYS *PER CALENDER YEAR (ARTICLE I, PARA 8)*

• **Trash Containers**

KEEP THEM OUT OF SIGHT AND IN THE GARAGE EXCEPT ON PICK-UP DAYS (OR NO EARLIER THAN THE AFTERNOON BEFORE).

ALL PACIFIC SPRINGS PROPERTY OWNERS RECEIVE “FREE” CITY TRASH COLLECTION (INCLUDING RECYCLING), AND ARE FREE TO SELECT A PRIVATE PROVIDER OF THEIR CHOICE IF THEY SO CHOOSE.

THE CITY PICKUP DAY IS WEDNESDAY.

IF YOU ALSO HAVE A PRIVATE PROVIDER, PICK-UP DAYS CAN VARY THRU THE WEEK.

• Yard Signs

- Summary of Declaration Provision(s)
- No advertising signs, billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on any Lot except one sign per Lot consisting of not more than six (6) square feet advertising a lot “For Sale”
- Contractors may NOT put signs in your yard before, during or after improvements.

**PSHOA APPROVAL IS
REQUIRED**
**FOR MOST EXTERNAL LOT
IMPROVEMENTS
(NON-VILLAS LOTS)**

- **Approved Roofing Products for Non-Villas Lots**

Timberline HD – Weathered Wood

American Harvest – Saddlewood Ranch, Cedar Falls

Atlas Castlebrook Architectural – Weathered Wood

Timberline Ultra HD – Weathered Wood

Timberline Armourshield II Class 4 (Hail Impact) –
Weathered Wood

Atlas StormMaster – Weathered Wood, Black Shadow,
Hearthstone Gray

**The PSHOA Board will continue to review other
alternatives.**

Approved Roofing Products for Non-Villas Lots (continued)

Wood Cedar Shake

GAF Grand Sequoia – Weathered Wood, Weathered Timber, Cedar

GAF Grand Sequoia Amourshield Class 4 (Hail Impact) – Weathered Wood, Adobe Sunset, Dusky Gray

CertainTeed Presidential (AR, TL or IR) – Classic Weathered Wood, Weathered Wood, Autumn Blend, Aged Bark, Shadow Gray

Tamko Heritage Vintage – Weathered Wood

Grand Canyon – Sedona Sunset, Mission Brown, Storm Cloud Gray, Stonewood

Glenwood Class 4 (Hail Impact) – Weathered Wood, Autumn Harvest, Dusky Gray

DECRA Shake XD – Antique Chestnut

DaVinci Bellaforte Shake – Mountain VariBlend, Weathered Wood, Slate Gray

• Siding

➤ Types of Home Siding (**Examples ONLY**)

- Brick/Stone
- Wood
- Aluminum
- Vinyl
- Hardboard Composite,
- Fiberglass
- Cement Fiber

➤ The predominant types of siding that were originally approved by the Developers ***for new home construction*** in Pacific Springs were brick/stone, hardboard composite and cement

- # Siding Replacement

After one member installed vinyl siding without HOA approval and another sought approval to install vinyl siding the Board decided to solicit input from the Membership on the use of *vinyl siding* as an alternative for siding replacements.

As a result of that survey and Board reviews of vinyl siding, a decision was made that “select” vinyl siding would be approved on a case-by-case basis; similar to what is in place for roofing replacements.

**ALL SIDING REPLACEMENTS
REQUIRE PRIOR PSHOA
REVIEW/APPROVAL**

Volunteer - We Need You!

**YOU DON'T HAVE TO BE ON THE
BOARD TO GET INVOLVED. WE
NEED VOLUNTEERS.**

Volunteers Needed

Oversee 2020 Holiday Decorations @ Entrances

Community Events *That Could Be Held* If There Were Volunteers

This is obviously a fluid situation and the board will plan accordingly.

- Kids Easter Egg Hunt in Pacific Springs Park
- National Night Out (Against Crime)
- City Sponsored Spring Clean Up
- Other

Finally

- ➡ Remember to check the HOA website for current events/info
- ➡ Please provide/update/confirm your e-mail address to pshoa@cox.net. The Board from time to time announces community issues/emergencies.
 - ➡ **Volunteer/Get Involved –**
 - ➡ **It's Your Community.**

**DO WE HAVE YOUR CONTACT INFORMATION SO WE CAN
KEEP YOU INFORMED?**

IF NOT, SEND TO PSHOA@COX.NET

- **USE THE PSHOA WEBSITE
WWW.PACIFICSPRINGSHOA.ORG**
- **JOIN NEXT DOOR NETWORK FOR
COMMUNITY INFORMATION**

**Keep the Board Informed of
Neighborhood Events/Issues**



From Your Board of Directors

Bottom line, if you aren't satisfied with the way things are going, instead of complaining, get involved!

As I have grown older, I've
learned that pleasing
everyone is impossible,
but pissing everyone off is
a piece of cake .

The PSHOA Board

Board Vacancies

➡ The Ballot for Your Board of Directors

- ➡ **Vote** – 7 Board positions available – write ins welcome.
- ➡ *Ballots were mailed on August 1, 2020 with the annual dues statements.*
- ➡ *Votes will be counted and results will be announced on the PSHOA website.*

Vote!

Voting was completed by mail this year. Thanks for your participation!



PSHOA 2020 Annual Meeting

MEMBERSHIP QUESTIONS/COMMENTS?

**A COPY OF THIS POWERPOINT WILL POSTED TO THE
PSHOA WEBSITE.**

ANYTHING ELSE?

WE ARE ADJOURNED UNTIL NEXT YEAR!

**ALL CHARTS PAST THIS
POINT ARE FOR MEMBER
INFORMATION/REFERENCE
ONLY**

**THEY WILL NOT BE
BRIEFED**

Pacific Springs Expense Responsibilities - UNOFFICIAL

Pacific Springs Expense Matrix - Who Is Responsible For What

Expense Item	Expense Responsibility
Existing Street/Sewer/Storm Drain Mainten	City of Omaha
Existing Street Light Repair	City/OPPD
Electricity for Streetlights	City of Omaha
New Street Lights	City of Omaha
Snow Removal (Residential Sidewalks)	PO/WVHOA
Snow Removal (Park Parking Lot)	City of Omaha
Snow Removal (Commercial Area Sidewalks)	PO
Snow Removal (Elkhorn School Sidewalks)	PO
Snow Removal (Park Sidewalks)	City of Omaha
Snow Removal (Streets)	City of Omaha
Install New Sidewalks on Unimproved Lots	PO
Repair Residential Sidewalks - Non-Villas	PO
Repair Residential Sidewalks - Villas	PO/WVHOA?
Repair Existing Commercial Lot Sidewalks	PO

Pacific Springs Expense Responsibilities - UNOFFICIAL

Pacific Springs Expense Matrix - Who Is Responsible For What

Expense Item	Expense Responsibility
Existing Street Signage Repair	City of Omaha
New Street Signage (SPEED, STOP, etc)	City of Omaha
Street Sweeping	City of Omaha
PROW Retaining Wall (168th St near Harney)	City of Omaha
PROW Retaining Wall (180th St near Harney)	City of Omaha
Park Mowing/Park Tree Trimming	City of Omaha
Park Signage Repair	City of Omaha
Park Signage New	City of Omaha
Park Trash Removal	City of Omaha
Tree Maintenance/Replace on Residential Streets in PROW (Non-Villas Lots)	PO
Tree Maintenance/Replace on Residential Streets in PROW (Villas Lots)	PO
Tree Trim/Replace ON	
Commercial/Residential Lots	PO
Entrance Ground/Landscape Maintenance	PSHOA

Pacific Springs Expense Responsibilities - UNOFFICIAL

Pacific Springs Expense Matrix - Who Is Responsible For What

Expense Item	Expense Responsibility
Entrance Monuments	PSHOA
Entrance Electric Service (OPPD) (178th & Pacific, 174th & Pacific & 180th & Harney)	PSHOA
Entrance Electric Service (OPPD) (168th & Harney)	GC
W. Villas Common Area Grnds/Landscape Main.	WVHOA
Mailboxes	PO**
Home Trash Pickup	City of Omaha
Liability Insurance for PSHOA	PSHOA
Legal Expenses for PSHOA	PSHOA
PSHOA Sponsored Community Gatherings	PSHOA
Villas HOA Sponsored Gatherings	WVHOA
Entrance Holiday Decorations	PSHOA
PSHOA Admin Support	PSHOA
Police and Fire	City of Omaha

Pacific Springs Expense Responsibilities - UNOFFICIAL

Pacific Springs Expense Matrix - Who Is Responsible For What

Expense Item	Expense Responsibility
Entrance Irrigation Systems Maintenance	PSHOA
Water for Entrance Irrigation Systems (MUD) (HOA 178th and Pacific & 180th & Harney;GC 174th & Pacific)	PSHOA/GC
Water for Entrance Irrigation Systems (MUD) (168th and Harney)	GC
Former SID 383 VP Border Fence Maintenance Repair	VP
Fire Hydrants	MUD
Non-Villas Declarant and Lot Impvt Authority	PSHOA#
Non-Villas Covenant Enforcement	PSHOA/PO
West Villas Declarant	Lanoha/Apollo
WestnVillas Covenant Enforcement	WVHOA/PO
West Villas Lot Impvt Approval Authority	WVHOA/Lanoha

Legend

**PSHOA paying certain mailbox repair expenses

#Except for new construction on the one unimproved Lot on the former SID 383 side, then Horgan is Declarant (there are no unimproved Lots on former SID 398 side

? Unclear as to responsibility

Acronyms

PO - Property Owner

PSHOA - Pacific Springs Homeowners Association

WVHOA - Pacific Springs West Villas Homeowners Association

VP - Village Pointe

GC - Pacific Springs Golf Course

Pacific Springs Property Taxes City of Omaha

To Find Your Property Tax Info Go To The Douglas County Treasurer's Website

CLICK ON THE LINK TO
REAL PROPERTY TAX AND ENTER YOUR ADDRESS
HISTORICAL TAX DATA ON THIS LINK

So Just Who Benefits From My Property Taxes?

In The Event You Didn't Know Where Your Property Tax Money Goes

Property Levy Information: Tax District 1001 (City of Omaha)

Authority	Current
CITY OF OMAHA	.47922
CITY COUNTY BUILDING	.01700
COUNTY	.29559
EDUCATIONAL SERVICE UNIT 3	.01500
LEARN COMM-CAPITAL PROJ	.01605
M.U.D. YES	.0000
METRO AREA TRANSIT	.04953
METRO COMM COLLEGE	.09500
N.R.D.	.03780
ELKHORN SCHOOL DISTRICT	1.41500
CONSOLIDATED LEVY:	2.41977

Per \$100 of Property Valuation

Voting

New to the State or Neighborhood?

- ➡ **New to the State?**
 - ➡ **Have You Registered to Vote in Nebraska?**
- ➡ **Nebraska Resident but New to the Neighborhood?**
 - ➡ **Have You Changed Your Address with the Election Commission?**
- ➡ **Do You Know Where Your Polling Place is Located?**

Sex Offenders



ACCORDING TO THE NEBRASKA SEX OFFENDER REGISTRY
THERE ARE 39 REGISTERED SEX OFFENDERS LIVING WITHIN A
THREE MILE RADIUS OF PACIFIC SPRINGS

(NONE LIVE IN PACIFIC SPRINGS, BUT A COUPLE DO LIVE NEARBY)

[HTTPS://SOR.NEBRASKA.GOV/](https://sor.nebraska.gov/)

Crime in the Neighborhood

Crime in the Neighborhood

Crime Report Websites

<http://www.omahacrimereport.com/>

Click on Village Pointe

<http://www.douglascounty-ne.gov/sheriff/crimes-and-prevention/crime-map>

Crime in the Neighborhood

Theft from Mailboxes

Theft from Vehicles

Theft of Vehicle

Crime in the Neighborhood

DO NOT leave your garage door open

LOCK your home doors; particularly at night

If you park your vehicle in your driveway, **LOCK it and REMOVE any valuables, the garage door opener and keys.**

Do Not Leave Your Mail in the mailbox; and do not place mail in the mailbox overnight for mailing the next day

Pacific Springs is Not Part of the City Neighborhood Watch Program

PAST ATTEMPTS TO THE MEMBERSHIP FOR JOINING HAVE FAILED.

TO JOIN YOU MUST PARTICIPATE.

IF YOU ARE INTERESTED SIGN UP.

**60% OF THE MEMBERSHIP IS REQUIRED & THE 60% MUST BE EVENLY
SPREAD ACROSS THE NEIGHBORHOOD.**

242 X .6 ROUNDS UP TO 146 MEMBERS REQUIRED

Signs in the Public-Right-of-Way (PROW)

**GENERALLY, NO SIGNS ARE ALLOWED IN THE PROW
AND ALL “ADVERTISING” SIGNS PLACED IN THE
PROW ARE ILLEGAL**

Are You Operating a Business From Your Home?

City of Omaha Rules for a Home Based Business



What is a home occupation?

The City of Omaha zoning ordinance defines a “home occupation” as an accessory occupational use conducted entirely within a dwelling unit by its inhabitants, which is clearly incidental to the residential use and does not change the residential character of the site.

Who can have a home occupation?

Home occupations are allowed in any residence. This provides an opportunity for the residents of any house or apartment to operate a business from their home if they meet the conditions for a home occupation.




Can I have a business in my garage?

No. The ordinance limits home occupations to be entirely within the dwelling unit. An attached garage may only be used if it is converted to habitable space.



Can I have employees?

No. Home occupations are limited to residents of the home.



Can I sell a product?

Home occupations are limited to service businesses only and specifically

exclude any on-premises display, purchase, sale or storage of commodities. Delivery or service by commercial vehicles is also not allowed. If you want to sell or distribute a product, that activity must take place away from your home at a location zoned to allow commercial uses.

How much parking must I provide?

Most residences are required to have a minimum of two parking spaces. You may need more for your business. All the parking for your business must be paved and located on the lot. You must also comply with the zoning standards for the residential district. This will limit the amount of paving you can have on your lot. If your business requires a large amount of parking and it overflows into the street, you will have changed the residential character of the home and should be looking for a commercial location.

Can I keep a pick-up truck or van at my home?

If the vehicle is licensed and used regularly by a resident, it can be parked at the home just like any other personal vehicle.

What kind of advertising can I use?

You may have up to a two (2) square foot sign attached to the wall of your residence. No yard signs are permitted.

Do I need any permits or licenses?

The City of Omaha does not require a license for home occupations. If you make any structural changes, replumb or rewire your home for the business use, you must take out appropriate construction permits and be inspected by the Permits and Inspection Division.

Who else should I contact?

The Nebraska Department of Revenue will want to know about your business, and personal service businesses may have to be inspected by the Douglas County Health Department. Your business name should also be recorded with the Douglas County Clerk. The safest approach is to hire an attorney to assist you in meeting all the legal requirements for a small business.

For more information, please call:

Planning Service Desk
Omaha City Planning Dept.
(402) 444-3426

Lot Improvements

The Declaration You Agreed To When You Purchased Your Property

- The Declarant desires to provide for the preservation of the values and amenities of Pacific Springs, for the maintenance of the character and residential integrity of Pacific Springs, ...
- NOW THEREFORE , the Declarant hereby declares that each and all of the Lots shall be held, sold and conveyed subject to the following conditions, covenants, restrictions and easements, **all of which are for the enhancing and protecting the value, desirability and attractiveness of the Lots...**
- These restrictions, covenants, conditions and easements **shall run with such Lots and shall be binding upon all parties having or acquiring and right, title or interest in each Lot or any part thereof...**
- **The Lots are, and each Lot is and shall be subject to all and each of the following conditions and other terms:...**

Words From The Declaration That Came With the Property You Purchased

...Declarant intends that the Lots shall be developed as a residential community with homes constructed of **high quality** materials.

The Declarant shall review (*a proposed Improvement*) in light of the conditions and restrictions ... of the Declaration and in relation to the type of exterior that has been constructed or that has been approved for construction on the Lots.

Neighborhood Traffic & Motor Vehicle Issues

STREET PARKING, SPEEDING,
STOP SIGN RUNNING



Parking Nuisances – Any of These Apply to You?

Vehicles parked such that they block the sidewalks – Violation of Sec 36-156, OMC

Vehicles parallel parked on the street directly behind a neighbor's driveway – inconvenience to the neighbor

Two vehicles parallel parked on a narrow street directly across from each other and narrowing street to single, very narrow lane (*if a fire truck can't pass it is a violation*) – Violation of Sec 36-159, OMC

Vehicles parallel parked the wrong way on the street – Violation of Sec 36-153, OMC

Vehicles parked in NO PARKING areas - Duh

And Then We Have...

➡ the Speeders, and STOP sign runners.
Max Speed Limit on our Streets is 25 mph,
except on Marcy when children are
present when it is 20 mph.

The cites on previous slide are to the
Omaha Municipal Code (OMC)

PETS

OWNING PETS IS GREAT; JUST DON'T ALLOW THEM TO DO THEIR BUSINESS IN OTHER MEMBERS YARDS, IN THE PROW OR IN THE PARK; AND REMEMBER, THE PACIFIC SPRINGS GOLF COURSE IS PRIVATE PROPERTY AND WALKING ON THE GOLF TRAILS (WITH OR WITHOUT PETS) CAN BE CONSIDERED TREASPASSING

City of Omaha Code re: Pets

CHAPTER 6 OF THE OMAHA MUNICIPAL CODE

Declaration re: External Lot Impvts & City Reqts

External Lot Improvements

- ➡ The PSHOA Website is an easy way to request approval; just click on the *Lot Improvement Request* link on the Home Page.
- ➡ Most requests are approved within a few days of receipt; just make sure you submit the necessary information for a decision (some info will need to be sent separate from the website).

External Lot Improvements

- **Pre-approvals are required** to ensure that our community standards are kept high and to make sure that all of our residential investments are maintained at a high quality.
- **The Board is very open to discussing alternatives**, as long as it maintains those high standards, and welcomes you to come present alternatives to the Board.
- **We all enjoy our quiet and respectful community** and therefore we, as your elected Board members, are charged with enforcing the rules which can be quite costly if you insist on commencing an improvement prior to obtaining Board approval. Although we prefer to use it as a last resort, legal action is a possibility.
- **Finally, if you do not like how your HOA elected Board members are handling things, tonight is your opportunity to volunteer by writing yourself in on the Ballot** so that you can possibly get elected and see, first hand, the processes and the why and how we do the things we do.

External Lot Improvements

Generally, “same to same” doesn’t require review/approval; however, *it must be “same to same”*; no deviations, and the existing “same” must have been approved. *It is better to ask than to proceed, and it is best to let us know you plan to initiate an improvement, even if “same to same” to avoid issues.*

- New windows replacing existing windows of same type/color
- New siding replacing existing siding of same type/color
- New roof replacing existing roof, if material/color has been pre-approved (more on this later)
- New paint as long as same color

External Lot Improvements

► Examples of improvements that do require approval (*not a complete list*):

- Swimming pools/spas
- New fences
- Landscaping
- Additions
- Decks
- Permanently Installed Playground Equipment (Non-portable Basketball hoops; etc)
- Siding
- Roof replacements, if not pre-approved

External Lot Improvements

And remember, all lots in Pacific Springs are subject to the City of Omaha rules on permits and inspections.

The PSHOA review/approval does not substitute for the City review/approval and vice versa.

Some Improvements also require Douglas County permits; e.g., swimming pools.



City of Omaha Building Permits

► Permits Required (examples only)

- Anything Structural
- Room Additions
- Roofing or Siding
- Fences
- Garages
- Sheds over 75 sf
- Decks, new or replacement
- Window Replacements
- Basement Finish
- Antennas or Towers
- Fireplaces or Wood Stoves
- Retaining Walls over 6 ft high

City of Omaha Permits

Cautions Re: Improvements

- Construction Material Cannot be Stored in the Street or the PROW unless a City Permit is Obtained
- Construction Material Cannot Block the Sidewalks
- *And...Be Cautious if a Contractor Wants to Put the Burden of Obtaining Any Required Permits on You; it may be in the fine print of the contract.*



Emerald Ash Borer Info

Emerald Ash Borer - Background

Since its discovery in the U.S. in 2002, EAB has:

Killed tens of millions of ash trees in southeastern Michigan alone, with tens of millions more lost in Arkansas, Colorado, Connecticut, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Maryland, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Ontario, Pennsylvania, Tennessee, Quebec, Virginia, West Virginia, and Wisconsin.

Caused regulatory agencies and the USDA to enforce quarantines (Michigan, Connecticut, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Minnesota, Missouri, Ohio, New Hampshire, New York, North Carolina, Ontario, Pennsylvania, Tennessee, Virginia, West Virginia, Wisconsin, and Quebec) and fines to prevent potentially infested ash trees, logs or hardwood firewood from moving out of areas where EAB occurs.

Cost municipalities, property owners, nursery operators and forest products industries tens of millions of dollars. –

See more at:

<http://www.emeraldashborer.info/#sthash.3nI7z9tV.Q0HR4t67.dpuf>

Emerald Ash Borer - Omaha

The Emerald Ash Borer (EAB) was first found in Michigan in 2002. Since then it has spread to 21 states including Iowa, Kansas, and Colorado. The native eastern Asia beetle kills Ash trees by tunneling beneath the bark and threatens to wipe out Nebraska's 40 million Ash trees. EAB is easily transported long distances in infested firewood and it is highly suggested that one does not carry firewood when traveling.

The City of Omaha Parks & Recreation Department has 12 certified Arborists constantly looking for this invasive insect and has started taking steps to prepare for the devastating damage that it will create in Omaha's tree canopy.

There are treatment options available for EAB, but they are not recommended until it is found within 15 miles from your area. Treatment is usually good for two years, depending on the product. Keep in mind, not all ash trees are good candidates for treatment. Trees that are in decline, in poor locations, or have any defects should be removed. Also, it is recommended to remove and replace trees that are 8" in diameter or smaller.

Please remember you must first obtain a permit to plant or remove any tree on City of Omaha property and that any person engaging in the business of arboriculture must first obtain an arborist license with the City of Omaha. A State of Nebraska Applicators License is also required if any treatments are being performed so please protect yourself from unlicensed companies.

The following web sites include more resources to answer any EAB questions, including suggestions on what to replace your ash tree with:

www.emeraldashborer.info

<http://nfs.unl.edu/eab>

The Impact of EAB in Omaha:

48,200 trees are on City of Omaha right of ways. 6,482 are Ash.

32,339 trees are in maintained park areas. 3,873 are Ash.

1507 trees are on right of way in Regency. 797 are Ash.

448 trees are in Ramble Ridge. 166 are Ash.

There are 336 Ash along Abbott Drive.

352,603 trees in unmaintained park areas, 23,270 are Ash.

The [Omaha Parks Foundation](#) is partners with the City of Omaha Forestry Division on the Emerald Ash Borer (EAB) epidemic in an effort to raise public awareness of EAB and the steps everyone can take to prevent its spread and replace trees where needed.

Emerald Ash Borer - Omaha

- In Nebraska, if you suspect you may have EAB in your ash trees, call (402) 471-2351 or the National EAB hotline at (866) 322-4512.
- EAB – Nebraska Info:
- Nebraska EAB Response Plan May 2015
- There may be as many as 160 Ash trees in Pacific Springs; primarily along our streets
- Omaha City Council Resolution re: Emerald Ash Borer
- NET Article re: EAB

IMPORTANT INFORMATION REGARDING TREES IN THE PUBLIC RIGHT-OF-WAY (PROW) ALONG PACIFIC SPRINGS STREETS

1. NEW INFORMATION FROM THE CITY OF OMAHA REGARDING ASH TREES & OTHER SPECIES OF DEAD/DYING TREES IN THE PROW ALONG OUR STREETS

- a. At our PSHOA Annual Meeting on September 14, 2016, John Wynn, the City Forester discussed the situation with the Emerald Ash Borer, and the Ash trees in the neighborhood.
- b. As a follow-up, Members of the PSHOA Board met with John on March 23, 2017 to obtain an update. He explained that the letters to property owners that had been discussed at the Annual Meeting regarding Ash trees in the PROW in front of their property will soon be sent out. If you are affected, you may have received one already. These letters will give notice that the tree will be removed at City expense (if it has been marked with a blue X) or treated (if it is marked with a round token).
- c. For those Ash trees that will be removed and for any other PROW dead trees, while the City will cut them down at their expense, they will not remove the stump/roots; that will be the Member/property owner's responsibility. Also, the City will not replace the removed trees. That will also be the Member/property owner's responsibility. The City may treat select Ash trees for a few years if they are not currently in bad shape to "buy time" for the ultimate removal, but over time, they intend to remove **all** PROW Ash trees.

2. CITY APPROVAL PROCESS FOR REMOVAL & REPLACEMENT OF PROW TREES

a. Regarding replacement trees (NO ASH), we have learned that the City has approval authority for all trees that are dead or dying in the PROW. Once you decide on the type of tree you would like to plant as a replacement (and the location), you will need to contact the City Forester for approval. The City Forester or a representative will come out and review the location (and the type of tree you have selected) and either approve or disapprove. The City has also advised they will not approve replacement trees of like kind to those lining the streets in that part of the neighborhood; i.e. they want a variety of trees along our streets. A listing of the tree species they will approve is attached. It is not inclusive, thus if a property owner wishes to plant a tree that is not on the list it will be reviewed for possible approval. Also, even if a tree is on the list, the property owner must obtain City approval as to type and planting location. If your tree selection and/or location is disapproved, you can select alternative(s) and resubmit. Once approved you can plant the approved tree in the approved location.

b. Regarding obtaining City review/approval of replacement trees/location, contact the City Forester by letter or e-mail (john.wynn@cityofomaha.org) to obtain approval. The address if mailed is: John Wynn, Forester, City of Omaha, Park Maintenance Headquarters, 1523 South 24th St, Omaha, NE 68108. There is no permit fee for review and approval. Also, no specific application form needs to be filled out, only a letter or e-mail describing the desired tree type and location.

3. OPTION FOR PSHOA MEMBERS TO HAVE THE PSHOA REPRESENT THEM IN SUBMITTING INFORMATION FOR CITY APPROVAL

a. If the PSHOA Member does not want to deal directly with the City Forester when a tree in the PROW dies, and needs to be replaced, the Member can select the type of tree they would like to use as the replacement and the proposed planting location, and contact the PSHOA. The PSHOA will then contact the City Forester on behalf of the Member to obtain approval; and advise if the Member would like the City to cut down and remove the dead tree (at no cost to the Member). The City Forester will come out and visually look at the dead tree and proposed location for the replacement tree. If approved, the City Forester will respond to the PSHOA with the approval. If for some reason the City Forester feels the proposed location and type of proposed tree isn't a good fit, he will so advise, including his rationale for disapproving. If the request is approved, the PSHOA will so advise the Member, and if not, the PSHOA will advise the Member of the situation and resubmit the request once the Member selects a different tree/location. Once an acceptable tree/location is approved by the City Forester, the Member will be notified and the tree can be planted. Regarding the dead tree, the City will cut it down; however, they will not remove the stump. Regarding the replacement tree, a list acceptable to the City is attached.

4. CONTINUATION OF PSHOA PARTIAL REIMBURSEMENT PROGRAM FOR REPLACEMENT OF PROW TREES

a. The PSHOA plans to continue its offer of partial reimbursement which has been in effect for several years. The offer will apply whether the Member goes through the PSHOA for City review/approval of the type of tree and location, or if the Member applies directly to the City. In the latter case, to receive partial reimbursement, in addition to the requirements below, the Member shall forward to the PSHOA both their letter/e-mail to the City, and the City's approval letter/e-mail.

b. The following are the requirements associated with the PSHOA financial assistance program:

The financial assistance is "partial reimbursement" for funds that have already been paid by the lot owner; i.e., the PSHOA will issue a check for \$150 for each PROW tree replaced, **if** all the following requirements are met:

The caliper (trunk diameter) of the replacement tree must be a minimum of 1 ½ to 2 inches. The replacement tree must be deciduous (not evergreen) of a species approved by the City. The costs for removal of a dead tree, if not removed at no cost by the City, and installation of the replacement tree can be included, and must exceed \$150.

To be reimbursed, a **paid** receipt must be presented to the PSHOA Treasurer **after** the installation of the replacement tree. The receipt must include the Lot number and/or street address, the total cost, the type of tree and the caliper (trunk diameter).

c. The Board will visually determine that a replacement tree has in fact been planted in the PROW prior to issuing the check. All decisions of the Board regarding the financial assistance program are final.

5. INFORMATION FROM PACIFIC SPRINGS DECLARATIONS (COVENANTS) REGARDING FAILURE OF MEMBERS TO REPLACE DEAD/DYING PROW TREES

a. Should a tree in the PROW in front of or on the side of your property (if your property is at an intersection) deteriorate/die; and it is not replaced by the Member, the PSHOA will exercise its authority under Article III, Section 4.c of the Declaration (and in doing so will select a tree type and location and obtain City approval) and have the tree planted. The bill will be sent to the Member per the following Section of the Pacific Springs Declaration(s):

In the event any Owner of a Lot shall fail to perform and fulfill his obligations and responsibilities under Article I, Section 22 of this Declaration, and if such failure continues for thirty (30) days after written notice to the Owner from the Association, the Association shall perform or have performed such obligation or responsibility. If the Association undertakes to perform or have performed the responsibilities of the Owner, the cost of such performance plus a fifteen percent (15%) administrative charge shall be assessed against the Owner, and the Owner shall be obligated to promptly pay such sums to the Association. Assessment of such costs shall be made by written demand from the Association for payment by the Owner. If such assessment is not paid within thirty (30) days after written demand from the Association, such assessment shall constitute a lien on the property, which lien shall attach, have the priority and be enforceable by the Association in the same manner as liens for assessments and dues as provided in this Article.

6. CITY REQUIREMENTS REGARDING LOW HANGING BRANCHES OVER STREETS AND PUBLIC SIDEWALKS

a. Separate from the Ash tree issue, the City Forester noted there are PROW trees with low hanging branches over the sidewalks and streets. They will send notices to the affected Members informing them of the 12' and 8' height rules (12' over street and 8' over sidewalk), and advising that if they don't cut/trim them, the City will, and at the Member's expense; i.e., you will receive a bill from the City.

If you have any questions, please contact us at pshea@cox.net

Member Mailboxes

**BACKGROUND AND HISTORIC
HOA SUPPORT**

Member Mailboxes

The mailboxes in the neighborhood were funded by the original property owners; i.e., they were not funded by the HOA nor either of the two SIDs that previously existed.

Legally their care and maintenance is the responsibility of the members.

That said, within the past few years the HOA has funded certain limited maintenance:

- This has primarily been repainting of the metal exteriors and polishing (and in some cases, replacing) the bronze number signs.
- There have also been a very limited number (3 or 4) door repairs/securing loose boxes.

Mailbox Maintenance Responsibility

BOTTOM LINE:

**ANY MAILBOX MAINTENANCE IS A MEMBER
RESPONSIBILITY**

**AND FROM TIME TO TIME THE HOA HAS
PROVIDED LIMITED MAINTENANCE**
