



Policy Governing Emergency Health and Safety Response Authority

WHEREAS, Heritage Hills Homeowners Association d/b/a Camelback Canyon Estates (the “Association”) is governed by the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Heritage Hills Home Owners Association, recorded as Document No. 2006-0813231, records of Maricopa County, Arizona, and all amendments thereto (the “Declaration”), and the By-Laws of Heritage Hills Homeowners Association (the “Bylaws”), which provide that the Association shall be governed by a Board of Directors (the “Board”);

WHEREAS, Article 1, Section 5 of the Bylaws provides: “The Board of Directors shall have the general management and control of all the property and affairs of the corporation, and shall exercise all of the powers of the corporation except such as are conferred by law or by these Bylaws upon the members”;

WHEREAS, Article V, Section 1 of the Declaration provides, in relevant part: “The Association, or its duly delegated representative, shall maintain and otherwise manage all property up to the lot lines, including, but not limited to the landscaping, parking areas, streets and recreational facilities, roofs, common elements and exteriors of the buildings located upon the above described common properties”;

WHEREAS, Article XV, Section 9 of the Declaration provides: “The Association and Board of Directors shall have the power to pass reasonable rules and regulations regarding the use of Association Common Area”;

WHEREAS, to provide for efficient management and maintenance of the Common Area, and to properly address emergency situations, the Board wishes to delegate to the Association’s Managing Agent, the authority to make certain expenditures to address emergencies pertaining to the Common Area, as set forth herein;

NOW, THEREFORE, based on the power authorized to the Board, the Board hereby adopts this Policy Governing Emergency Health and Safety Response Authority.

Policy Governing Emergency Health and Safety Response Authority

1. In the event that the Managing Agent becomes aware of an event or imminent threat that involves Association Common Area property and poses an immediate health or safety risk to residents or the public and/or a risk of property damage to property within the Association, the Managing Agent shall do the following:

- a. Call emergency services, public first responders and/or public health officials as appropriate, to prevent or mitigate the impacts of the event.
 - b. Immediately contact the Board members to apprise them of the situation and any recommended actions to take.
2. In responding to an emergency event, the Managing Agent shall have the following authority to make emergency expenditures reasonably necessary to protect the health, safety and property of residents within the Association:
 - a. Expend up to \$750 without any Board approval.
 - b. Expend up to \$5,000 upon approval of at least one (1) officer on the Board.
 - c. Expend up to \$10,000 upon approval of at least two (2) officers on the Board.
 - d. Expend over \$10,000 only upon approval of the Board.
3. Examples of potential imminent or real-time emergency events subject to this Policy include, but are not limited to:
 - a. A report of a sink hole forming in a street owned by the Association.
 - b. Breakage of a sewer line resulting in sewage flowing into the Common Areas or private property in the community.
 - c. A brush fire igniting in or near the Common Area.
 - d. A lamp post falling down in the community, leaving electrical wires exposed.
 - e. Common Area storm water infrastructure failing during a storm and flood water threatening to damage property or injure residents.
4. The Board may revoke or modify this Resolution at any time by adopting a subsequent Board Resolution.

The Board of Directors adopted the above Resolution at a duly held Board meeting on March 10, 2020.