

Residents' Guide to Community Association Governance

Even with a map, compass, and a certified guide, sometimes it is hard to find your way. Unfortunately, the same can sometimes be said for those trying to understand how our Community Association¹ (the "CA") is governed by reading its Governing Documents, which include the Declaration of Covenants, Conditions and Restrictions (CC&Rs), the new Design Guidelines, the CA's By-Laws and the CA's Rules and Regulations. Given the complex nature of these documents, this article has been drafted to provide residents with a general understanding of the CA's governance structure.

Corporation Governed by Board of Directors

The CA is a registered Texas non-profit corporation. Everyone who owns a lot within Sun City (i.e., individual residents and the developer - Pulte) is automatically made a member of this corporation. As with all corporations, the CA is governed at the top by a Board of Directors, who are elected by the members.² The Board is authorized to create committees to assist the Board in running the CA. The role of these committees is to advise the Board on various matters and to perform whatever specific tasks are assigned to them in the committee charters issued by the Board.³ The CA also employs a full-time staff that oversees the daily functions of the CA.

CA Committees

To date the Board has used its authority to create/charter the following fourteen committees to assist in the running of the CA:

Chartered Clubs (Non-Sports)	Golf
Communications	Covenants Committee
Modifications	Property and Grounds
Nominating	Special Projects
Emergency Management	Sports
Elections	Wildlife Management
Finance	
Landscaped Maintained Homes	

Each of these committees is comprised of five to nine individuals, all of whom are appointed by the Board and must be members of the CA (i.e., lot owners within Sun City).

¹ The CA was originally created under the name "Sun City Georgetown Community Association, Inc." Since that time, the CA has also registered with the State of Texas under the name "Sun City Texas Community Association, Inc.," and currently operates under this revised name.

² During the build-out phase of Sun City, Pulte as developer has a right to control a certain number of the Board seats. Once build-out is complete, all directors will be elected by the residents.

³ The specific procedures for how the CA as a corporation is run and managed, including the election of Board members, the power of the Board to create committees, and the like, is established in the CA's By-Laws

As mentioned, each committee fulfills the tasks assigned to it in its charter. A committee only has those powers specifically delegated to it in its charter. Each charter proscribes the committee's purpose, composition, terms of office, delegated authorities, committee officers, and other issues uniquely related to that committee. These charters typically require the committee to provide the Board advice and recommendations on specific matters. For instance, the Nominating Committee provides the Board advice and recommendations about candidates for committee positions. The Finance Committee advises and makes recommendations on CA financial matters, including financial controls, budget procedures and accountability, annual budgets, and financial statements. The Communication Committee advises and makes recommendations for maintaining and improving communication between the residents, the Board, CA staff, the developer and the Georgetown community at large. And the Wildlife Committee advises and makes recommendations related to wildlife and habitat management, including native deer issues.

The Modifications Committee and the Covenants Committee are somewhat different than the other committees, in that their roles are not limited to providing advice and making recommendations. Rather, these two committees are authorized to make substantive and binding decisions on behalf of the CA and the Board. Specifically, the Modifications Committee is authorized to review, and to approve or reject, all proposed modifications, additions, or alterations to existing homes. If you have ever sought to construct an addition or otherwise modify your home, you submitted a request to the Modifications Committee for approval. Likewise, the Covenants Committee is established as the "hearing tribunal" of the CA and is authorized to impose sanctions for violations of the Governing Documents or any rule or regulation of the CA. Only the Covenants Committee and the Board may assess fines for violations of the Governing Documents.

Handling of Resident Concerns/Issues

If you ever have a concern that needs to be addressed by the CA, you should first approach the appropriate CA staff member in an attempt to resolve the issue. If staff is unable to adequately resolve your issue, you should then contact the appropriate committee. (Note: if you have any confusion about which committee to contact or how to do that, staff will be able to answer those questions.) In the rare instances where a resident does not believe the staff or the committee has resolved their issue, the resident may request a hearing before the CA Board of Directors. These requests must be made through the office of the CA's Executive Director. All Board hearings are held in "executive session" and are not open to other residents. The Executive Director's Administrative Assistant will make all arrangements for the hearing and advise you of the time, date, location, and requirements for the hearing. Residents appearing before the Board will be required to submit a written statement regarding their issue about one week before the designated meeting or workshop. During the hearing, the resident will be provided a reasonable time to outline their issue and the Board members may ask questions.

Hopefully this short guide adequately clarifies how our Community Association is governed and will allow you to know where to turn should you ever have an issue that needs to be addressed by the CA.