

---

**BEAR CREEK**  
Bear Creek Master Association

---

**Notice of Proposed Operating Rule and Procedure Changes**

Dear Bear Creek Master Association Residents:

Pursuant to Civil Code §4360, the Board of Directors will be considering proposed changes to the current Access Control rules of the association at the General Session meeting to be held on January 19, 2015 at 6:00 p.m. If you wish to make any written comments on the proposed changes, please indicate your comments on the attached pages and return your comments to the Association Office. Alternatively, if you can attend the Board Meeting, your constructive comments will be considered by the Board of Directors prior to their making a decision on the proposed rule changes.

The Board of Directors held a meeting on September 26, 2015 to entertain feedback from the community regarding suggestions on access control measures in Bear Creek. These same issues have been discussed at each meeting thereafter during Homeowner forum. The Board of Directors have taken into consideration your voice in proposing the following new rules. The Board feels their recommendations represent the majority of the community based upon the responses received at an earlier date.

Unless there is some valid reason why the attached rules should not be approved, the Board will approve them at the meeting in January. All approved rules will go into effect immediately and will be fully enforced. The following statement is the purpose of the proposed rule changes for the community and the effect the Board of Directors believes the proposed rules will have on the community.

**Purpose:** The Board of Director's have reviewed the current access control rules and find an update is needed in order to tighten the access control into the community.

**Effect:** If approved, the BCMA operational procedures regarding access control will be more stringent in order to continue to provide a safe environment within the community and to limit access by individuals that do not live within Bear Creek Community.

**Member Comments:** If you wish to provide written comment, please do so on the next page and return this form to BCMA 22877 Bear Creek Drive North, Murrieta, CA 92562.

Please note: Anonymous/unsigned comments will not be considered.

Please review the enclosed documents and note that rules and procedures listed first in each segment and in regular font are the current rules in the community. *The second set of rules and procedures in italic and bold are the new proposed rules.*

Sincerely,

For the BCMA Board of Directors,



Linda Alexander, CCAM, LSM  
General Manager

/en

2. IDENTIFICATION AND PARKING DECALS

- a) Each resident will be issued identification decals for vehicles. These BCMA logo decals contain a registration number at the bottom and are used to identify vehicles owned by residents in BCMA.
- b) The Application (Resident Information Form) for these decals is the onsite management office. The decal must be permanently on the inside lower left (driver's side) corner of the windshield in such a manner as to display the entire decal to the outside of the windshield.
- c) If a resident changes vehicles, the old decal must be removed and returned to the onsite management office. If the new vehicle has not been issued a license plate, a temporary placard may be issued for a period not to exceed thirty days.

2. **IDENTIFICATION AND PARKING DECALS**

*a) For the purposes of Access Control, "Resident" is defined as an Owner(s) living within Bear Creek, a family member of an Owner by blood or marriage residing within Bear Creek and utilizing the address within Bear Creek as their primary and permanent address, a tenant and the tenant's family utilizing the address within Bear Creek as their primary and permanent address, a contract purchaser and/or anyone else who has control and dominion over a lot or unit and is utilizing the address within Bear Creek as their primary and permanent address. Resident does not include anyone holding an interest in a property by virtue of a security instrument.*

*b) Each person and vehicle eligible for a transponder under these Rules may be issued identification decal(s) at no cost for their vehicle(s). No one is required to use or have a decal affixed to their vehicle(s). These BCMA logo decals are used to identify vehicles authorized access to BCMA, however the decals will not allow automatic access. All vehicles with decals and no transponder will be required to be vetted each and every time through the appropriate guard check lane. The Board of Directors ("Board") reserves the right to modify the cost and charge a fee if deemed necessary to recoup the costs of the decal system.*

*c) The Application (Resident Information Form) for these decals and transponders is available at the onsite management office. This form is also located online at <http://bearcreek.nordicsec.com>. The decal must be permanently affixed only by Access Control staff on the inside lower left (driver's side) corner of the windshield in such a manner as to display the entire decal to the outside of the windshield.*

*d) If an eligible person changes vehicles or a vehicle otherwise becomes ineligible for a decal, the old decal must be removed. All out of date decals shall be removed.*

3. TRANSPONDERS/ RFID STICKERS

- a) Transponders will be issued to residents only.
- b) Residents purchasing an RFID sticker are required to pay a \$25.00 fee for a standard sticker or \$45.00 for a headlamp sticker. The Board of Directors reserves the right to modify these costs if deemed necessary.

c) Transponders will remain affixed to the windshield. Removal of RFID transponder sticker from windshield will de-activate the transponder. RFID Transponder stickers are only to be removed by authorized personnel at the Master Association office.

3. **TRANSPONDERS/RADIO FREQUENCY IDENTIFICATION (RFID)**

a) *Transponders/RFID stickers may be issued to eligible persons only. No one shall be required to have or use a transponder. The following persons are eligible for a transponder(s):*

1. *Residents.*
2. *Non-Resident Owners who have not leased/rented their properties.*
3. *Bear Creek Golf Club ("BCGC") Golf Members.*
4. *BCGC Social Members.*
5. *BCGC management (as determined by the Board).*
6. *BCGC golf professionals (as determined by the Board).*
7. *BCGC maintenance staff (as determined by the Board).*
8. *BCGC operational staff (waiters/waitresses, cart boys, etc.) employed at BCGC for at least one year (as determined by the Board).*
9. *Current Access Control and Office staff (as determined by the Board).*
10. *Fed Ex, UPS and Postal Carriers (as determined by the Board).*

b) *The transponder's hours and gates of operation shall not be restricted for Residents and Non-Resident Owners who have not leased their properties. The Board of Directors reserves the right to set and modify as deemed necessary the hours during which the gates and transponders operate for all other eligible persons.*

c) *Eligible persons purchasing an RFID sticker are required to pay a \$35.00 fee for a standard sticker or \$45.00 for a headlamp sticker. The Board reserves the right to modify these costs if deemed necessary to recoup the costs of the transponder system.*

d) *All transponders shall only be affixed to vehicle(s) by Access Control Staff. Transponders will not be mailed out or otherwise given out to anyone except Access Control Staff for affixing on the appropriate vehicle only. All transponders will remain affixed to the windshield until de-activated. Removal of RFID transponder sticker from windshield will de-activate the transponder. RFID Transponder stickers are only to be removed by authorized Access Control personnel at the Master Association office.*

e) *Unless otherwise eligible under section a), above, the following persons are not eligible for a transponder:*

1. *Non-Residents Owners who have leased/rented their properties.*
2. *BCGC operational staff (waiters/waitresses, cart boys, etc.) employed at BCGC for less than one year.*
3. *Vendors (nurses, caregivers, gardeners, maids, etc.).*
4. *Guests of Residents.*
5. *Non-Resident family members (parents, grandparents, adult children, non-resident college students, etc.).*

f) *All non-RFID type transponders shall be turned in as soon as practicable and a refund or credit provided as appropriate.*

*g) There shall be no “grandfathering” of transponders. All types of transponders held by persons or attached to vehicles not eligible for a transponder under this Rule shall be turned in and a refund or credit provided as appropriate. Such transponders shall be turned off by Access Control or Office staff as soon as practicable.*

*h) Transponders shall only be affixed to vehicle(s) owned (personally or through a corporation/partnership) by a person eligible for a transponder. Transponders shall not be affixed on any vehicle not owned by the eligible person (e.g., short term rental vehicles or borrowed vehicles). However, vehicles under long term (one (1) year or more) leases and rentals of thirty (30) days or more are eligible for a transponder. Additionally, “company cars” assigned to a person eligible for a transponder are eligible for a transponder.*

*i) The President/Vice President of the Board may, for good cause shown, authorize the issuance of a temporary (not to exceed 6 months) transponder(s). To remain in effect, such action must be ratified in open session at the next Regularly Scheduled Board Meeting.*

*j) All persons eligible for transponders shall, to obtain a transponder or decal, provide proof of eligibility for themselves (e.g., residency, tenancy, ownership, golf membership, etc.) and their vehicle(s) (e.g., ownership, registration, etc.) as required.*

*k) All persons, who are eligible for and have transponders, shall agree to and shall comply with all rules of the road (and violation penalties) in force in Bear Creek.*

*1. In addition to any other penalty applicable for a violation, failure to pay any substantiated violation penalty within sixty (60) days of its due date shall subject the person to loss of transponder usage*

*l) Notwithstanding any other part of this rule, any Resident that owns a majority interest in a car dealership located within driving distance of Bear Creek and who routinely drives vehicles controlled by the dealership to and from work, is eligible for up to two (2) floating transponders that are movable only from one dealership vehicle to another dealership vehicle, provided that such vehicles are to be driven into and around Bear Creek by Resident and/or his/her immediate family members only. In addition to any other penalty applicable for violating this rule, the Board reserves the right in its sole discretion to deactivate the transponder permanently in the event the Resident violates this rule. No other “floating transponders” shall be issued for any eligible person or vehicle.*