

COWELL HOMEOWNERS ASSOCIATION

Open Session Board of Directors Meeting • Thursday, June 25th, 2020

BOARD MEETING MINUTES

Board Members Present	Mike Kindorf	President
	Edward Baluta	Treasurer
	Brian Beckon	Secretary
	Rebecca D'Lima	Director at Large
	Ken Dixon	Director at Large
	Peggy McCurdy	Director at Large

Others in Attendance Bill Mazza of Common Interest Management Services

Meeting Location Teleconference

CALL TO ORDER

The meeting was called to order at 7:03pm. It was determined that a quorum was present.

HOMEOWNER'S OPEN FORUM

The Homeowner's Open Forum was held for those in attendance.

APPROVAL OF MINUTES

A motion was made and seconded to approve the minutes from the May 28th, 2020 Board of Directors meeting. **The motion carried unanimously.**

COMMITTEE REPORTS

Committee Chairman Dixon provided the Board with an update from the June Architectural Committee meeting. Chairman Dixon emphasized the number of violations being noted and escalated by the Committee regularly during inspections, as well as the Committee's recent focus on consistency over the last few months.

The General Manager provided the Board with an update regarding ongoing maintenance and property updates for the month of June, which focused primarily on getting all three pools up and running and open to residents, as well as the hiring of three Pool Monitors as required by Contra Costa County in order for pools to remain open.

TREASURER'S REPORT & FINANCIAL REVIEW

Item: Treasurer's Report

Director Baluta provided the Treasurer's Report to the Board.

Item: Delinquent Accounts/Record Lien Approval

A motion was made and seconded to approve recording a Notice of Delinquent Assessment (Lien) for the following properties:

APN: 133-241-087-5

APN: 133-551-001-0

APN: 133-241-063-6

APN: 133-331-050-4

The motion carried unanimously.

Item: Financials as of May 31st, 2020

The Board received and reviewed the Association's financials dated May 31st, 2020.

NEW BUSINESS / ACTION & DISCUSSION ITEMS

Item: 2020 Board Election – Inspector of Election

The Board reviewed proposals from two law firms for Inspector of Elections services for the upcoming Board of Directors election. A motion was made and seconded to approve the proposal from Hughes Gill Cochrane Tinetti for Inspector of Election services. **The motion carried unanimously.**

Item: Memorial Bench Plaque Request

A motion was made and seconded to approve the request by the owner of 4402 Shellbark Ct for a memorial plaque to be placed on an existing bench along the greenbelt at the end of Shellbark Ct, per the Association's Memorial and Commemorative Items policy, contingent on there not being a plaque already located at this bench. **The motion carried unanimously.**

Item: Main Pool Remodel/Repairs Project

The Board provided those in attendance with an update regarding the main pool remodel/repairs project. The previously approved geotechnical inspection is scheduled for Monday, June 29th. No action was taken at this time.

Item: Lot Rental Policy

The Board reviewed a draft of the proposed *Lot Rental Policy* update from management that would streamline the procedure for owners who wish to rent their units, including a reduction in deposit costs for tenants who wish to obtain key fobs and dog park keys. A motion was made and seconded to approve the updated *Lot Rental Policy* as presented by management. **The motion carried unanimously.**

The full *Lot Rental Policy* has been appended to these minutes.

Tenants who wish to obtain dog park keys are now required to provide a \$100 deposit, which will be refunded when the dog park keys are returned. Pool/tennis court key fobs no longer require a deposit but must be purchased from the Association (currently \$10 per key fob). If not returned at the termination of a lease, the key fobs will be deactivated by management.

STANDING ITEMS

Item: Rental Requests

No action taken at this time.

Item: Association Committees

The Board reviewed a proposed *Architectural Control Committee Charter*, as recommended by the Architectural Committee. A motion was made and seconded to approve the *Architectural Control Committee Charter* as presented. **The motion carried.** Director Beckon opposed.

A full copy of the approved *Architectural Control Committee Charter* has been appended to these minutes.

Item: Late Fee Waiver Requests

No action taken at this time.

MOTION TO ADJOURN

There being no further business and no objections, a motion was unanimously carried to adjourn the meeting at 8:25pm.

EXECUTIVE SESSION SUMMARY

Per Civil Code § 4935(e), any matter which was discussed in Executive Session must be generally noted in the minutes of the immediately following open Board meeting.

The Board of Directors met in Executive Session on June 10th, 2020 and approved an agreement for legal services with Berding & Weil, discussed the county's requirement of a pool monitor at all open pools, approved the hiring of a part-time pool monitor, and after developing a plan with legal counsel, approved

the re-opening of all three pools while utilizing one pool monitor who will be rotating between the three pools.

The Board of Directors met in Executive Session on June 25th, 2020 and approved the hiring of additional pool monitors, a proposal for roof and tile repairs/restoration at the clubhouse as a result of the recent beehive removal, and a proposal to replace the electric striker and install a hydraulic closer at the East Pool gate. The Board also reviewed a request from the Walnut Country Swim Team to modify the current lease agreement that would prorate the rental fee for the "Swim Season" to reflect the Swim Team's shortened six-week season, instead of the originally anticipated 16-week Swim Season.

BOARD CERTIFICATION

I do hereby certify that the foregoing is a true and correct copy of the Minutes of the Cowell Homeowners Association Board of Directors meeting as approved by the attending Directors.

M. KINDORF
Director's Name

M. Kindorf
Signature

PRESIDENT
Office / Position

24 JUL 2020
Date

Lot Rental Policy

Approved at the June 25th, 2020 Board of Directors Meeting

BACKGROUND

Article II, Section 14 of the Cowell Homeowners Association, Inc. CC&Rs requires that all owners who wish to rent or lease their Lot first obtain approval from the Board of Directors, as only a maximum of 25% of the Lots in the development may be rented or leased at any time. This policy will establish the process owners who wish to lease or rent their Lot must follow.

LOT RENTAL POLICY

Per Article II, Section 14 of the Covenants, Conditions, & Restrictions (“CC&Rs”), owners who wish to rent or lease their Lot must obtain approval from the Board of Directors. Before entering into a lease, Owners must first complete the *Rental Application* form and provide it to the General Manager. This application will then be presented to the Board of Directors during the next regularly scheduled open Board meeting, and the requesting owner will be provided a response no more than 10 days thereafter.

If the owner’s original *Rental Application* is denied by the Board of Directors, the owner has the right of rehearing so long as the request is submitted to the General Manager no more than 10 days following receipt of the *Rental Application’s* review. Should the owner’s request to lease their Lot be denied once more, no additional requests for a rehearing shall be permitted and the Board of Director’s decision shall be deemed final.

WAITING LIST

As no more than 25% of the Lots in the development may be rented or leased at any time, the Board will maintain a *Lot Rental Waiting List*. In the event that an owner’s request to rent or lease their Lot is approved, but 25% of the Lots within the development are being rented, the owner will be placed on the *Lot Rental Waiting List* and must await the next available vacancy before the Lot may be leased or rented.

TENANT KEYS & FOBS

Several Association common area facilities require keys or fobs for access. As of the date this Policy was approved, the dog park requires a key for access, and the tennis courts and pools require a fob. In the event that an owner has obtained approval from the Association for the Lot to be rented or leased, and the tenant will require keys, owners must complete the *Tenant Information & Key Deposit* form and provide it to the General Manager.

Tenants who require a dog park key will be required to submit a deposit to the Association in the amount of \$100. This deposit will be cashed and refunded when the dog park key is returned to the Association at the termination of the lease. Tenants who require a fob can simply pay for the cost of the fob outright (currently \$10 per fob) – no deposit required.

Following termination of the lease, tenants who were provided a dog park key must return it back to the Association in order to receive the \$100 refund. Tenants may complete the *Key Deposit Refund Request* form and submit to the General Manager, along with the keys. Fobs will be disabled by the General Manager following the termination of the lease.

Architectural Control Committee Charter

Approved at the June 25th, 2020 Board of Directors Meeting

MISSION

It is the mission of the Architectural Control Committee (“Committee”) to review requests from homeowners for architectural modifications to the residence or Lot, and to monitor and enforce architectural rules in the Association Covenants, Conditions and Restrictions (CC&Rs), Rules, Standards, and Guidelines in order to maintain and protect the values of Association and individual properties within the development.

COMMITTEE

The Committee shall consist of a minimum of three Members of the Association who shall be appointed by the Board of Directors (“BOD”) of the Association. A Member of the Board of Directors shall be appointed to serve as Chairperson of the Committee.

A quorum of Committee members is required to conduct business. A quorum shall consist of a majority of the appointed members.

A Committee member who misses two or more consecutive meetings of the Committee may be removed by the Chairperson and/or the BOD.

DUTIES & RESPONSIBILITIES

The Committee is authorized to:

- Develop and manage a plan for performing assessments, monthly or as needed, of individual properties within the development.
- Hold monthly meetings to review and approve or reject applications for changes to homeowner property.
- Recommend policies and procedures to the BOD regarding Architectural matters.
- Refer uncorrected violations and recommendations to the BOD as warranted.
- Adopt such procedures and guidelines for the direction of Committee members as it may deem appropriate.
- Provide updates to the Association website and/or newsletter regarding Architectural matters as it deems appropriate.

Committee Members are authorized to:

- Conduct inspections, monthly or as needed, of individual properties in accordance with Committee guidance.
- Initiate violation notices for observed infractions of Association CC&Rs and/or architectural rules (including landscaping).
- Clear violation status for previous violations that have been corrected.

The Committee Chairperson will present Committee reports, agenda items and recommendations to the Board of Directors as required.