

COWELL HOMEOWNERS ASSOCIATION, INC.

Open Session Board of Directors Meeting • Thursday, January 26th, 2023

BOARD MEETING MINUTES

Board Members Present	Mike Kindorf Ken Dixon Edward Baluta Brian Beckon Rebecca D'Lima Jason Moore	President Vice President Treasurer Secretary Director at Large Director at Large
Board Members Absent	Sandeep Singh	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 7:01pm. 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 December 1st, 2022 Board of Directors Meeting. **The motion carried unanimously.**

A motion was made and seconded to approve the minutes from the January 4th, 2023 Board of Directors Meeting. **The motion carried unanimously.**

COMMITTEE REPORTS

The Board was provided the General Manager's report detailing ongoing projects and any noteworthy property updates.

2023 BOARD ELECTION TIMELINE

The Board reviewed the timeline for the upcoming 2023 Board of Directors election.

TREASURER'S REPORT & FINANCIAL REVIEW

Item: Treasurer's Report

The Treasurer's Report was provided to the Board.

Item: Financials as of December 31st, 2022

The Board received and reviewed the Association's financials dated December 31st, 2022

NEW BUSINESS / ACTION & DISCUSSION ITEMS

Item: Walnut Country Swim Team 2023 Proposed Schedule

A motion was made and seconded to accept the Walnut Country 2023 proposed schedule as presented. **The motion carried.** Director Kindorf abstained. A copy of the approved 2023 schedule has been appended to these minutes.

Item: HOA Membership Survey

The Board discussed the possibility of resuming the past practice of a membership survey or questionnaire, as has been done several times in the past decade. A motion was made and seconded to

delegate authority to draft and approve a survey to be sent to the membership to Directors Beckon and D'Lima. **The motion carried unanimously.**

Item: Heritage Valley Oak Tree Health Update

The Board reviewed multiple reports from the Association's contracted arborist, D. R. Tree Consulting, detailing the current condition and status of the heritage Valley Oak tree near the end of Adelia Ct. Unfortunately the tree has a significant amount of decay in the main trunk and needs to be removed as soon as is practicable. A permit for removal has already been approved by the City of Concord's arborist. D. R. Tree Consulting provided the association with a scope of work for removal and management is currently working on obtaining competitive bids.

A motion was made and seconded to delegate authority to approve a bid for the removal of this heritage Valley Oak tree to Director Dixon so that the work can proceed without any unnecessary delay. **The motion carried unanimously.**

The Board directed management to schedule a special Board meeting for Thursday, February 9th at 7pm to discuss this specific tree, its issues and concerns, and options for removal with the membership. The Board instructed management to ensure that this information is included in the upcoming February *Signal* newsletter.

Item: Third Party Clubhouse Reservation Policy

The Board reviewed a request from local realtor Nancy Bennett to reserve the Clubhouse for an upcoming event on March 11th, 2023. The Board also discussed drafting a policy regarding third party rentals of the Association's Clubhouse. Because Ms. Bennett rents out her unit, she is not permitted to reserve the Clubhouse under the existing Association policy.

A motion was made to approve Nancy Bennett's request to reserve the Association Clubhouse for an event on March 11th, 2023 with the same requirements and restrictions currently in place for resident Clubhouse reservations (including but not limited to fees, event insurance, and the rental agreement). **The motion carried unanimously.**

The Board also directed management to begin working on a policy for third-party Clubhouse reservations that would require Board approval for each individual request.

Item: 2023 Spring Festival

The Board reviewed the budget and details provided by the Activities Committee for the upcoming Spring Festival scheduled for late March.

A motion was made and seconded to approve a payment in the amount of \$4,000.00 to Activities Committee Chairperson Gloria Birch for the purpose of Spring Festival expenses per the proposed budget. **The motion carried unanimously.**

The Board directed Chairperson Birch to keep records/receipts of all purchases and expenses related to the Spring Festival, and to submit a final log to management once the event is complete. Expenses for the event will be reconciled at that time; if any money is owed back to the Association, Chairperson Birch will provide repayment via check in a timely manner. If Chairperson Birch is owed any additional money by the Association at the conclusion of the event, she can submit a request for reimbursement per the existing procedures.

Item: Central Water Tank Booster Pumps

The Board continued the discussion from previous meetings regarding the non-functioning central water tank booster pumps. The Board indicated that it was concerned with the high price and lack of information regarding the VFD (variable frequency drive) on PumpMan Norcal's proposal dated October 4th, 2022. The Board directed management to do its best to obtain additional information and to get a better understanding of the true cost of this component, to ensure that PumpMan's price is reasonable.

A motion was made and seconded to approve the proposal from PumpMan Norcal dated October 4, 2022 to install a new centrifugal 3hp pump with a 15hp VFD at the central water tank to replace the non-functional booster pumps in the amount of \$34,248.69. **The motion carried unanimously.**

Management will gather information regarding the VFD pricing before letting PumpMan know that their proposal is approved. If management discovers any discrepancies or anomalies, it will immediately let the Board know and put this item back on the agenda for discussion before any action is taken.

Item: Common Area Tree Damage Policy

The Board reviewed a draft policy created by management that detailed steps to take in the event that any damage was done to their personal property by an Association tree or tree branch. The Board directed management to have the draft policy reviewed by legal counsel to ensure that it was comprehensive and in no way increased the Association's liability. Once a review has been completed by legal, this policy will be placed back on the agenda for final Board approval.

Item: Cul-De-Sac Bollards/Posts

The Board continued discussing options for replacing the bollards/posts at the end of the cul-de-sacs. After a detailed discussion of the many options available, the Board agreed to keep the overall style and design of the bollards/posts the same as the current posts, and to begin the process of obtaining bids for replacing any components that are damaged or deteriorated.

Item: Memorial & Commemorative Item Request Policy

The Board reviewed the current *Memorial and Commemorative Items* policy as well as the options available for future memorial or commemorative items that might be placed on common areas, such as memorial plaques or bricks, for example.

A motion was made and seconded to rescind the existing *Memorial & Commemorative Items* policy but leave any existing memorial plaque in place. **The motion carried.** Director D'Lima opposed. The rescinded policy has been appended to these minutes for reference.

The Board instructed management that the existing memorial plaques on common area benches will not be replaced or reinstalled should those benches ever be replaced or removed in the future.

Item: East Pool Playground Discussion

Per the 2023 reserve study, the playground located near the East Pool has reached its estimated end of life and is due for replacement. The board reviewed several options for replacement playground structures, including a modern Corocord climbing structure by Kompan. The Board instructed management to ensure that this particular topic was listed on the upcoming membership survey, to gather more feedback from residents about this playground and what they might think of any potential changes.

Item: Clubhouse Dance Class Discussion

The Board reviewed a request from a homeowner to have the Association host dance classes for residents in the Clubhouse. The owner mentioned that they know of a local salsa dance instructor who they might be able to recommend. The Board directed management to move forward with scheduling a one-time salsa dance class at the Clubhouse for residents. If this class is successful, the Board can consider making this a regular occurrence.

Item: 2024 Reserve Study Proposal

A motion was made and seconded to approve the proposal from Reserve Analysis Consulting, LLC to complete the Association's 2024 Reserve Study in the amount of \$1,350.00. **The motion carried unanimously.**

STANDING ITEMS

Item: Rental Requests

No action taken.

Item: Association Committees

A motion was made and seconded to appoint Nerissa Wetherell to the Activities Committee. **The motion carried unanimously.**

Item: Late Fee Waiver Requests

No action taken.

Item: Good of the Order / Director's Comments

The Good of the Order / Director's Comments portion of the meeting was held for those in attendance.

MOTION TO ADJOURN

There being no further business and no objections, a motion was unanimously carried to adjourn the meeting at 9:21pm.

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 December 7th, 2022 to discuss the contract with Sun Pointe Services for the East & West Pool pump room rehab projects. The Board met with Sun Pointe's CTO who provided an update on the status of both pool pump room projects. The Board conveyed their overall dissatisfaction with the state of the projects and discussed realistic timelines for completion. No specific action was taken at this meeting.

The Board of Directors met in Executive Session on December 13th, 2022 and discussed a request by Walnut Country Preschool for a reduction in rent for the 2023 school year. Nothing was approved at this time as the Preschool lease agreement (which included rent for the 2023 school year) was agreed to and signed by all parties in summer of 2021.

The Board of Directors met in Executive Session on January 26th, 2023 and discussed an outstanding front yard landscape violation that has not yet been corrected. The Board set a deadline for having this issue addressed; if not completed by the deadline, monthly disciplinary fines will resume.

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

BOARD PRESIDENT

Office / Position

M. Mc

Signature

3.6.2023

Date

WCST PROPOSED 2023 SCHEDULE

Feb 5	Chili Cook Off 2-5pm (Clubhouse 1-6pm)
Feb 28	First day of spring clinic (Pool 4-8)
March 19	Ice Cream Social 2-3:30pm (Clubhouse 1-4:30pm)
March 31	Last day of Spring Clinic
April 3-7	Spring Break
April 11	First day of Spring Season (Pool 3:30 - 8)
May 12	Spaghetti Feed 5-7pm (Pool Deck)
May 13	Time Trials (Pool 7-12:30)
May 24	Duel Meet (Pool 4-9)
June 2	Last day of Spring Season
June 3	Duel Meet (Pool 7-12:30)
June 5	First day of Summer Season (switch to morning schedule, 7:30am - 12pm)
June 10	Duel Meet (Pool 7-12:30)
June 10-11	Age Group Event 9/10 Camp Out (Greenbelt 6pm-8am)
June 14	Duel Meet (Pool 4-9)
June 16	Tie Dye Team Shirts (Greenbelt 8am-12pm)
June 17	Duel Meet (Pool 7-12:30)
June 17-18	Age Group Event 11/12 Camp Out (Greenbelt 6pm-8am)
June 23	Age Group Event LR & 6U Parent's Night Out (Clubhouse 5-9pm)
July 3-4	No Practice
July 11	Age Group Event 13+ Game Night 6-8:30pm (Clubhouse 5-9pm)
July 14-15	Crossings Challenge (Pool Friday 12pm - Saturday 8pm)
July 19	Orange & Blue Dance 6-8:30pm (Clubhouse 5-9pm)
July 26	Family Fun Meet (Pool Deck 4-9)

POLICY & PROCEDURE

MEMORIAL AND COMMEMORATIVE ITEMS

1. This Memorial and Commemorative policy has been established to make certain that appropriate oversight and consistent approach is provided when the Association receives a request for the placement of memorial or commemorative items in public spaces (including but not limited to trees and benches). The intent of the Association Board is to ensure that memorial and commemorative items contribute to the preservation of the unique characteristics of existing Association-owned facilities, parks, open space areas and neighborhoods.

2. POLICY

Once installed, memorial and commemorative items become Association property; the Association does not guarantee their permanency. If an item must be relocated or removed, Association staff will attempt to notify the applicant, in writing, at the address shown on the completed Memorial and Commemorative Request and Agreement Form. The Association is not responsible for the replacement or maintenance of stolen or damaged memorial or commemorative items, or the replanting of trees which fail to survive. The Association reserves the right to re-move or modify these items without notice and will not manually-water memorial trees. The Association highly discourages requests to place plaques within or on existing Association buildings.

3. APPROVAL PROCESS

3.1 The Board will approve requests.

3.2 Requests may be made on the *Memorial and Commemorative Request and Agreement Form*;

3.3 Requests for memorial and commemorative items will be considered on a case by case basis; a limited number of new installations will be considered on an annual basis. Approval considerations will include, but not be limited to:

3.3.1 Contributions the remembered individual has made to the community

3.3.2 Future maintenance

3.3.3 Enrichment to the public space

3.3.4 Appropriateness to the setting

3.3.5 Compatibility with master planning efforts

4. FEES

The Association will charge time and material costs to achieve full cost recovery for placement and or installation of memorial and commemorative items. The fee will be calculated at the time of application using current labor and material rates. Additional fees will be applied to recover the cost of existing assets when used for memorial purposes (Example the cost of a new park bench when a request is made to place a plaque on an existing bench). Final approval will be contingent upon payment of fees.

5. APPEAL PROCESS

If a request is approved and another Homeowner opposes the memorial or commemorative project, that Homeowner has the right to appeal to the Board for re-consideration. The decision of the Board shall be final.

6. UNVEILING

Applicants will be provided the opportunity to be present when the memorial or commemorative item is placed. Applicants wishing to hold unveiling ceremonies may do so at their own scheduling and expense provided that the ceremony does not cause a disruption to Association operations or events.

COWELL HOA
MEMORIAL AND COMMEMORATIVE REQUEST AND AGREEMENT FORM

Name of Applicant: _____

Name of Organization (if applicable): _____

Mailing Address (number and street): _____

City: _____ Zip Code: _____

Phone: () _____ Email: _____

Describe request: _____

Describe location: _____

Inscription (if applicable): _____

Once installed, memorial and commemorative items become Cowell HOA (Association) property; the Association does not guarantee their permanency. If an item must be relocated or removed, Association staff will attempt to notify the applicant, in writing, at the address shown on the completed Memorial and Commemorative Request and Agreement Form. The Association is not responsible for the replacement or maintenance of stolen or damaged memorial or commemorative items. The Association reserves the right to remove or modify these items without notice. The Association highly discourages requests to place plaques within or on existing Association buildings.

The undersigned has read, understands and agrees to this Memorial and Commemorative policy:

Applicant Signature: _____ Date: _____

Mail completed form to: Cowell HOA, 4498 Lawson Ct., Concord, CA 94521

FOR ASSOCIATION USE ONLY :

Approval Signature: _____ Date: _____

Amount paid by applicant: \$ _____ Date: _____

Comments and or item description: _____

COWELL HOA
MEMORIAL AND COMMEMORATIVE REQUEST AND AGREEMENT FORM

**DRAW SKETCH OF
LOCATION**

A large, empty rectangular box with a thin black border, intended for drawing a sketch of the location. The box is currently blank.