

COWELL HOMEOWNERS ASSOCIATION, INC.

Open Session Board of Directors Meeting • Thursday, February 23rd, 2023

BOARD MEETING MINUTES

Board Members Present	Mike Kindorf	President
	Ken Dixon	Vice President
	Edward Baluta	Treasurer
	Brian Beckon	Secretary
	Rebecca D’Lima	Director at Large
	Jason Moore	Director at Large
	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 7:02pm. 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 January 26th, 2023 Board of Directors Meeting. **The motion carried.** Director Singh abstained as he was not present for this meeting.

A motion was made and seconded to approve the minutes from the February 9th, 2023 Board of Directors Meeting. **The motion carried.** Director Baluta abstained as he was not present for this meeting.

COMMITTEE REPORTS

The Board was provided the General Manager’s report detailing ongoing projects and any noteworthy property updates. The Board also reviewed a Winter Festival recap from the Activities Committee as well as minutes from the most recent Activities Committee meeting held on January 19th, 2023.

TREASURER’S REPORT & FINANCIAL REVIEW

Item: Treasurer’s Report

The Treasurer’s Report was provided to the Board. The Treasurer advised management and the Board to consider another round of letters to be sent to homeowners with a balance on their accounts, as this number seems to have increased over the previous months.

Item: Collections Action

The Board directed management to send a letter reminding the owner of account #075429602 that their account is more than 6 month’s delinquent and at risk of being sent to collections should the balance remain outstanding by the next regular Board meeting.

Item: Financials as of January 31st, 2023

The Board received and reviewed the Association’s financials dated January 31st, 2023.

NEW BUSINESS / ACTION & DISCUSSION ITEMS

Item: Heritage Valley Oak Tree (#461) Discussion

Following the previous February 9th Board meeting, management has been working with several arborists in an attempt to gain additional feedback regarding the condition of the Heritage Valley Oak tree (#461). Since this last meeting, the city of Concord has suspended the previously approved permit for removal

and has been conducting additional inspections and testing of the tree. A city arborist with the Planning Department indicated that he does not believe the likelihood of failure to be imminent (per the ISA Tree Risk Assessment standard) and has recommended that the Association consider remedial trimming and maintenance to reduce the risk associated with potential major limb failure.

Management also provided an update indicating that it had spoken to multiple arborists who reviewed the initial TRAQ report and did not necessarily agree with the concluding findings of the initial report from D.R. Tree Consulting. One such arborist was Joe McNeil of McNeil Arboriculture Consultants, whose firm has extensive oak tree experience. As an example, McNeil Arboriculture Consultants assisted the city of Danville with salvaging their 350 year-old Oak tree on Diablo Rd, helping to design the metal support structure and perform regular tests and inspections to verify the tree's condition and health.

On Monday February 20th, McNeil Arboriculture Consultants performed a peer-review of the initial report created by D.R. Tree Consulting on the Heritage Valley Oak tree (#461) as well as a limited in-person inspection and resistograph test of the tree. The Board reviewed these findings, in which McNeil Arboriculture Consulting indicated no evidence to support a risk rating of Extreme or evidence of imminent failure under standard Tree Risk Assessment Qualification (TRAQ) protocol. McNeil Arboriculture Consultants recommended further testing if a more conclusive opinion was desired.

After careful consideration of all information available, a motion was made and seconded to rescind the previous delegation given to Director Dixon at the January 26th, 2023 Board meeting to approve a bid to remove the Valley Oak tree. **The motion carried unanimously.** There are no current plans for removal of the Heritage tree until additional testing is completed.

A motion was made and seconded to authorize the General Manager to contract with McNeil Arboriculture Consultants to perform additional testing and inspections of the Heritage Valley Oak tree (#461) to confirm its condition and risk to the neighboring properties with a Not To Exceed (NTE) of \$10,000.00. **The motion carried unanimously.**

Item: 2023 Pool Heating Schedule & Pool Hours

The Board discussed options for the 2023 swim season and when to begin heating the pools. The East and West pools were closed all of 2022 due to the pump room rehab project. Currently the East pool is complete and the West pool is scheduled to wrap up around the 2nd half of March.

A motion was made and seconded to schedule the East and West pools to open on April 1st, 2023, provided both pump room projects are complete. **The motion carried unanimously.**

For the 2022 swim season, the Main Pool hours were extended to 9:30pm due to the East and West pools being unavailable. The Board discussed feedback from this change as well as potentially adopting this for the 2023 swim season.

A motion was made and seconded to change the hours for the Main Pool to 7am to 9pm daily. **The motion carried unanimously.**

The East and West pool hours will remain 7am to 8pm daily.

Item: Pool Monitor / Lifeguard Discussion

For the previous three swim seasons, the Association has been required to hire Pool Monitors to enforce county COVID guidelines for public swimming pools. That is no longer a requirement for the 2023 swim season.

The Board discussed options available for rules enforcement around the swimming pools during the swim season, particularly Memorial Day to Labor Day when the pools see the most activity. Historically, the Board has hired lifeguards to keep watch on the pools and enforce the HOA rules.

A motion was made and seconded to direct management to begin working on hiring Pool Monitors for the 2023 swim season to enforce the Association's pool rules, scheduled primarily on Fridays, Saturdays, and Sundays for roughly 4-5 hours per day. **The motion carried unanimously.**

Management will begin writing up a job description and posting job ads. The Board will confirm pay at a future Executive Session meeting.

Item: Lifeguards During WCST Practices

The current lease agreement with Walnut Country Swim Team requires the Swim Team to make a lap lane and the kiddie pool available for residents during their summer swim season if the Association provides a lifeguard at its sole expense. The Board discussed the frequency of usage of such a lap lane by CHOA residents during swim practice and weighed this against the cost of providing a lifeguard on site for five days a week.

A motion was made and seconded to decline to provide a lifeguard during Walnut Country Swim Team's 2023 summer practice, meaning a lap lane and the kiddie pool will not be made available to residents during swim practice. **The motion carried unanimously.**

Item: Central Water Tank Booster Pump Discussion

The Board reviewed a quote from Abbey Water Well Service, Inc. to replace the two non-functioning central water tank booster pumps with a single 7.5hp pump. The Board discussed this quote in comparison to the two others received, each with slightly different scopes and recommendations.

A motion was made and seconded to approve quote #AB2023-016 from Abbey Water Well Service, Inc. to replace the two central water tank booster pumps with a single 7.5hp pump with a Not To Exceed (NTE) of \$21,000.00. **The motion carried unanimously.**

Item: EV Charging Stations Discussion

The Board discussed the possibility of installing EV charging stations within the Association. A good candidate was in front of the Clubhouse parking spaces along S. Larwin Ave. The Board directed management to reach out to third-party charging station companies (such as Charge Point) to see if they are willing to partner with the Association and provide stations on Association property at little to no cost to the HOA.

Item: Common Area Solar Panels Discussion

The Board discussed the possibility of installing solar panels within the Common Area. No action was taken at this time.

STANDING ITEMS

Item: Rental Requests

A motion was made and seconded to approve the following rental request:

- 4404 Black Walnut Ct

The motion carried unanimously.

Item: Association Committees

A motion was made and seconded to appoint Vania Vale and Jenell Rudden 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 9:08pm.

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 February 23rd, 2023 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 and CFO and was provided with an update on the status of both pool pump rooms. The East Pool pump room is completed and the West Pool permits have been approved and construction is set to begin next week. Both parties discussed responsibility for the cost of third-party engineering fees related to this project. The Board resolved that it would pay all outstanding engineering fees in full if Sun Pointe was able to complete the West Pool project (including passing all necessary inspections) by March 25th, 2023.

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.

MICHAEL KINDERT

Director's Name

M. Kindert

Signature

BOARD PRESIDENT

Office / Position

4.27.2023

Date