

# COWELL HOMEOWNERS ASSOCIATION, INC.

Open Session Board of Directors Meeting • Thursday, March 23<sup>rd</sup>, 2023

## BOARD MEETING MINUTES

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<b>Board Members Present</b>	Mike Kindorf Ken Dixon Edward Baluta Brian Beckon Rebecca D'Lima Sandeep Singh	President Vice President Treasurer Secretary Director at Large Director at Large
<b>Board Members Absent</b>	Jason Moore	Director at Large
<b>Others in Attendance</b>	Bill Mazza of Common Interest Management Services	
<b>Meeting Location</b>	Teleconference	

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### CALL TO ORDER

The meeting was called to order at 7:04pm. 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 February 23<sup>rd</sup>, 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.

### TREASURER'S REPORT & FINANCIAL REVIEW

#### **Item: Treasurer's Report**

The Treasurer's Report was provided to the Board.

#### **Item: Financials as of February 2023**

The Board received and reviewed the Association's financials dated February 28<sup>th</sup>, 2023

### NEW BUSINESS / ACTION & DISCUSSION ITEMS

#### **Item: Tree Replanting Discussion**

The Board discussed options for planting additional trees throughout the Common Area in response to the number of trees that have been removed over the years due to safety or health related concerns. The Board directed management to work with the Association's arborist to pick out ideal replanting locations and to create a palette of tree species to choose from, with a starting budget of \$20,000. The Board directed management that it would like to prioritize the number of trees to be installed over the size of the trees being installed. Management will work with the Association's arborist to create a tree replanting plan for the Board to review at a future meeting. Directors D'Lima and Kindorf volunteered to assist management with the creation of this plan prior to it going to the Board for final approval.

#### **Item: South Slope Fescue Removal**

The Board directed management to work with Mike McCall Landscape to obtain one or two bids for removing additional areas of fescue along the South Slope and replacing it with bark, cobble, and trees, as was carried out in 2022 between Leatherwood Ct and Oakbrook Ct.

**Item: Activities / Events Committee**

A motion was made and seconded to rename the Activities Committee to the Events Committee. **The motion carried unanimously.**

The Events Committee is currently made up of the following members:

- Gloria Birch (Chairperson)
- Nerissa Wetherell
- Vania Vale
- Jenell Rudden

A motion was made and seconded to adopt an updated charter for the Events Committee as presented by management. **The motion carried unanimously.** The updated charter has been appended to these minutes.

**Item: Lot Rental Policy**

The Board reviewed an updated draft of the *Lot Rental Policy* provided by management. This update was in response to a recently obtained legal opinion regarding rental requests, which specified the Board's general inability to deny rental requests from homeowners so long as the Association is still under the 25% rental limit.

A motion was made and seconded to approve the updated *Lot Rental Policy* as presented by management. **The motion carried unanimously.** The updated policy has been appended to these minutes.

**Item: Third-Party Clubhouse Reservation Policy**

The Board reviewed a draft policy presented by management detailing the process should a third-party wish to reserve the Clubhouse for a private event. The Board provided feedback and changes it would like to see made to the draft. Management will work on an updated draft to be reviewed by the Board at a future meeting.

**Item: Common Area Benches**

A motion was made and seconded to delegate a spending authority of \$20,000.00 to remove and replace Common Area benches throughout the greenbelt to directors D'Lima and Kindorf. **The motion carried unanimously.**

**Item: Summer Tennis Camp**

The Board discussed a proposal from Sofia Zaprianov to provide a three-week tennis camp to young children during the summer, likely July through August. A motion was made and seconded to direct the General Manger to move forward with this summer camp and to begin working with Ms. Zaprianov on logistics and planning. **The motion carried unanimously.**

**Item: Main Pool Gas Line**

It was recently discovered that the gas line that provides gas to the Main Pool heaters filled entirely with water and that a new gas line must be run from the gas meter to the pool pump room. Management has been working with plumbers and demolition/excavation companies to obtain bids for this work.

A motion was made and seconded to delegate a spending authority of up to \$60,000.00 to install a new gas line for the Main Pool heaters to Director Kindorf. **The motion carried unanimously.**

STANDING ITEMS

**Item: Rental Requests**

No action taken.

**Item: Association Committees**

No action taken.

**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 8:45pm.

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 March 23<sup>rd</sup>, 2023 to approve the hiring of a new Association employee, Sean Cobby, discuss the upcoming contract renewal with the Walnut Country Preschool for the 2024 school year, and the discuss contract with Sun Pointe Services for the East and West Pool pump rooms, wherein the Board approved payment for all outstanding third-party engineering fees.

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 KINDORF

Director's Name

M. Kindorf  
Signature

BOARD PRESIDENT

Office / Position

4.27.2023  
Date

## ***Lot Rental Policy***

Last updated at the March 23<sup>rd</sup>, 2023 Board 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. If at the time of receipt fewer than 25% of all units within the Association are being rented, and if it appears that all terms of the lease will comply with Article II, Section 14(a) of the CC&Rs, the General Manager may approve the application on behalf of the Board of Directors.

The General Manager may, at his or her discretion, require that a particular application be reviewed by the Board of Directors at their next regularly scheduled meeting. 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 denial. 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.

If a dog park key is required, a deposit of \$100 will need to be paid. This deposit will be cashed and refunded when the dog park key is returned to the Association at the termination of the lease. Key fobs may be purchased outright (currently \$10 per fob) – no deposit required. Either party may pay for the cost of these keys. It is recommended that homeowners provide their existing keys to the tenants, if available. Homeowners renting out their units lose the right to access the Common Areas (as that right is transferred to the tenant), and all existing keys linked to the property will be disabled.

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. Whoever provided the initial deposit 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.

## ***Events Committee Charter***

Approved at the March 23<sup>rd</sup>, 2023 Board Meeting

### **MISSION**

It is the mission of the Events Committee (“Committee”) to advise the Board of Directors on events for the Association membership and to carry out planning and execution of these events at the direction of the Board of Directors (“Board”). Like the Board, this Committee is charged to represent the interests of all homeowners and have as its primary goal to plan events to allow Association members to convene and socialize, and to promote the general sense of community within the Association.

### **COMMITTEE**

The Committee shall consist of, at a minimum, a Committee Chairperson who shall be a member of the Board or a member of the Association. This Chairperson shall oversee the Committee and perform tasks such as scheduling Committee meetings, providing regular updates to the Board, and generally provide direction and guidance to the Committee.

The Committee shall not exceed a total of seven (7) members. Committee Members shall be either members of the Association or residents of Cowell Homeowners Association, Inc.

The Board may appoint or remove additional Committee members as it sees fit, typically at the recommendation of the Committee Chairperson. A quorum of Committee members is required to conduct business at a Committee meeting. A quorum shall consist of a majority of the appointed members. In the event that a quorum is not met, and in the spirit of efficiency and flexibility, the Committee Chairperson alone shall be delegated decision-making authority, provided that regular updates on any decisions made are provided to the Committee.

This Committee shall be a Standing Committee.

### **DUTIES & RESPONSIBILITIES**

The Committee is authorized to:

- Establish an annual calendar of events and provide recommendations for the Board of Directors to conduct these events to support a sense of community and to allow homeowners to socialize and meet one another;
- Establish an annual budget for the calendar of events for the Association and to plan each event to meet this budget. The Budget shall be submitted to the Board for review and approval;
- When requested by the Board, provide recommendations concerning events and their planning;
- Plan and conduct each event on the calendar including budget, communications, staffing, and executions. The Committee will work with the General Manager to ensure that all events are being run appropriately and are complying with all Association policies and procedures;
- Meet at regular intervals, as determined by the Committee Chairperson, to allow for the effective planning and execution of the events. Minutes of each meeting shall be taken and provided to the General Manager for record-keeping. All minutes will be reviewed by the Board at a regular Board meeting;
- Provide updates to the General Manager to be included in the *Signal* newsletter, eSignal email notification system, and posted on the HOA website for all events being planned.