

# COWELL HOMEOWNERS ASSOCIATION, INC.

Open Session Board of Directors Meeting • Thursday, August 22<sup>nd</sup>, 2024

## BOARD MEETING MINUTES

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<b>Board Members Present</b>	Mike Kindorf Ken Dixon Brian Beckon Sandeep Singh	President Vice President Secretary Director at Large
<b>Board Members Absent</b>	Edward Baluta Rebecca D'Lima Jason Moore	Treasurer Director at Large Director at Large
<b>Others in Attendance</b>	Bill Mazza of Common Interest Management Services	
<b>Meeting Location</b>	Cowell Homeowners Association, Inc. Business Office 4498 Lawson Ct, Concord CA 94521	

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### 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 July 25<sup>th</sup>, 2024 Board of Directors meeting. **The motion carried.** Director Singh abstained as he was not present for this July meeting.

### COMMITTEE REPORTS

The Board was provided with the General Manager's report detailing ongoing projects and noteworthy property updates, as well as a summary of the most recent Architectural Committee meeting.

### TREASURER'S REPORT & FINANCIAL REVIEW

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

The Treasurer's Report was provided to the Board.

#### **Item: Financials as of July 2024**

The Board received and reviewed the Association's financials dated July 31<sup>st</sup>, 2024.

### NEW BUSINESS / ACTION & DISCUSSION ITEMS

#### **Item: Main Pool Project – Construction Management Contract**

Tyler Mourelatos of Avelar joined the meeting and presented Avelar's proposal for construction management/administration services for the upcoming Main Pool repair project to the Board, which would be an amendment to the existing agreement between Cowell HOA and Avelar dated December 12<sup>th</sup>, 2023. This amendment would allow Avelar to begin an ADA/Accessibility review for the Main Pool repair project, prepare construction drawings and specifications, obtain competitive bids from qualified contractors, and oversee construction administration to see the project through to completion. A motion was made and seconded to approve this amended agreement with Avelar for the Main Pool repair project with an estimated budget of \$72,800 (spread across five phases of the project). **The motion carried unanimously.**

#### **Item: 2024 Financial Audit & Tax Prep**

A motion was made and seconded to approve the engagement letter from Levy, Erlanger & Company LLP to audit the 2024 financials and prepare the association's tax returns in the amount of \$3,815.00. **The motion carried unanimously.**

**Item: Fall 2024 Tree Care**

The Board reviewed proposals from four vendors for Fall 2024 tree care, based on a scope of work detailed by the Association’s contracted arborist. A motion was made and seconded to approve the following proposals for Fall 2024 tree care:

- Tree West proposal #19336 for Greenbelt and South Slope tree pruning in the amount of \$42,210.00
- Tree West proposal #19335 for clearance pruning along Ygnacio Valley Blvd in the amount of \$3,310.00
- Tree West proposal #19333 for removal of two trees in the amount of \$3,145.00

**The motion carried unanimously.**

**Item: Employee Benefits – Paid Time Off**

The Board reviewed the current Paid Time Off (“PTO”) policy in the employment handbook. A motion was made and seconded to modify the Paid Time Off policy so that PTO is accrued on an hourly basis rather than per pay-period. **The motion carried unanimously.**

The full updated Paid Time Off policy has been appended to these minutes.

**Item: CHOA Employee Handbook Update**

The General Manager has been working with legal counsel to update the CHOA Employee Handbook, to ensure that it is in compliance with all current state and federal laws. A motion was made and seconded to approve the updated draft Employee Handbook as presented. **The motion carried unanimously.**

Management will work with legal counsel to finalize the Handbook and distribute it to all current CHOA employees.

**Item: Common Area Landscape – Pesticides & Gas Powered Equipment**

The Board discussed the Association’s use of pesticides and herbicides for weed abatement, along with the use of gas-powered equipment, focusing on a potential shift to electric. The Board directed management to reach out to Dave Phelps with Garden Enlightenment, a vendor who had worked with the Association in 2021, for assistance with these two issues. The Board would like to bring in an outside expert to assist in the discussion and decision-making process.

**Item: Third-Party Violation Inspections Update**

The Board discussed the results of the first third-party violation inspection performed by Common Interest Management Services (CIMS), which was completed in early August.

A motion was made and seconded to approve quarterly violation inspections by Common Interest Management Services in the amount of \$600.00 per inspection, for a total of \$2,400.00 per year. **The motion carried unanimously.**

**Item: Clubhouse Reservation Request – Thursday, September 12**

A motion was made and seconded to approve the Clubhouse reservation request by homeowner Ian Wetherell for Thursday, September 12<sup>th</sup>, 2024 from 4pm to 8pm. **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: Tennis Pro Clinic 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 8:49pm.

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 August 22<sup>nd</sup>, 2024. The Board discussed two ongoing disciplinary issues with homeowners in violation of the governing documents, scheduled several homeowner disciplinary hearings for early October, and discussed a disciplinary issue with a current CHOA employee.

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

9.26.2024

Date

### **Paid Time Off**

CHOA has provided Paid Time Off (“PTO”) as one of the many ways in which we show our appreciation for your work, knowledge, skills, and talents; all of which contribute to make CHOA a wonderful association to work for.

Regular part-time employees regularly scheduled to work at least twenty (20) hours per week are eligible to accrue PTO on a pro-rated basis. Temporary or Seasonal Employees are not eligible for PTO.

PTO can accrue to a maximum cap of 120 hours. Under no circumstances can an employee accrue more than 120 hours of accrued PTO. Unused PTO will roll over from year to year, but an employee cannot accrue more than 120 hours of PTO. Once an employee has accrued that total, no additional PTO will accrue until the employee uses his or her accrued PTO and reduces the balance to less than 120 hours. Thereafter, PTO benefits will continue to accrue on a prospective basis unless the employee again reaches the 120-hour maximum. No earned credit will be given for the time when accrued PTO was at the cap.

### **Amount of PTO**

Eligible employees accrue PTO for each pay period. The PTO accrual rate is based on length of employment, as follows:

#### ***0 months – 12 months***

- *.025 hours of PTO accrued per hour worked*

#### ***Start of 2<sup>nd</sup> year to completion of 5<sup>th</sup> year***

- *.0375 hours of PTO accrued per hour worked*

#### ***6<sup>th</sup> year (after completing 5 full years of employment)***

- *.05 hours of PTO accrued per hour worked*