

## San Elijo Hills #1 Homeowners Association

### 2019-2020 PC&Rs Update Report (Paul Basore, Vice President)

At the HOA's August 2019 open meeting, the board voted to commence a year-long process aimed at updating the HOA's governance documents (PC&Rs, Bylaws, and Policies). The agreed procedure was to establish an *ad hoc* committee to lead the development of a legally valid framework template that could serve as a starting point for discussion with homeowners. After making modifications based on those discussions, the updated PC&Rs and Bylaws would be put to a vote of homeowners, with 2/3 approval required for adoption.

The *ad hoc* committee presented suggestions at each monthly open HOA meeting for discussion and amendment, followed in each instance by approval or rejection by majority vote of the board. The following timetable was established and subsequently followed:

<u>Meeting Date</u>	<u>Agenda Item</u>
September 2019	Board identifies sections in the Policy Manual to include in the new PC&Rs.
October 2019	Board identifies things currently in the PC&Rs they would like to remove.
December 2019	Board identifies things not in the PC&Rs/Bylaws they would like to add.
January 2020	Board reviews the table of contents for the proposed new PC&Rs and Bylaws.
February 2020	Board considers any additional proposed changes to the PC&Rs and Bylaws.
March 2020	Board reviews document templates prepared by the HOA's legal counsel.

Initially, the *ad hoc* committee was composed of Directors Paul Basore, Phil Klein, and Tristan Fleming. In March 2020, Director Chris Allen and homeowner Grai Andreason were added. The committee worked closely throughout the process with the HOA's lawyer, David Kline of Epsten, APC.

The effort to update the covenants was highlighted in the March HOA newsletter that was mailed to all homeowners along with their semiannual fees invoice. The newsletter mentioned the most significant changes that had been accepted in the board meetings listed above. At the top of the list was the need to legally clarify which slopes are maintained by the HOA. The newsletter noted that discussions with homeowners were planned for April and May, with intent to produce updated PC&Rs and Bylaws that could be approved by ballot in conjunction with the annual election of Directors in June.

When COVID-19 arrived in late March, it became clear that discussions with homeowners would have to wait. The schedule for completing the process of updating the documents was therefore indefinitely postponed. To legitimize the *ad hoc* committee's work over the past year, the board voted at their telephonic meeting in May 2020 to endorse the legal document templates as being suitable for the next board to use as a starting point, should they decide to continue the process of updating the covenants.