

Shadow Brook Swim Club Homeowners' Association
Board of Director's Meeting
November 28th, 2017

Location: Bret Harte Junior High, San Jose, CA

Board of Director - Attendees:

- Patrick Smith, Staci Tenczar, Peter Contini, Karen Rockwell, and Mike Beyersdoerfer

24 Homeowners in attendance

Call to Order: 7:11 by President

Agenda:

- Open and Welcome
- Profile of Shadow Brook HOA and Swim
- ACC: Community Discussion and Input on draft policies
- Current Finances and Pool Project
- Open Forum/Q&A
- Close of Meeting

Profile of Shadow Brook

- We are a planned community governed by CCR's, By-Laws, Policies, and Davis-Stirling Act
- 318 Homeowners and 125 Associate Members
- Annual Budget of over \$225K
 - Updated financials to be posted to shadowbrook.org
- Fiscal year is on calendar year as of 2017

Draft Policies/Rules: Community Input and Discussion

What is being done?

- Proposed modifications to three existing Rules/Policies
- Most significant changes:
 - Can't paint your driveway
 - No parking on walkways

Why are we doing this?

- Recommendations from Homeowners to the ACC based on interactions with Homeowners over the last 6-8 months
- Policies are enacted over time
- It's important to keep Policies up to date as times change, requirements change or topics become outdated
- **To bring clarity, consistency and transparency to HOA policies**
- Less subjectivity and allows for consistency as ACC members change over time
- Align terminology, update outdated terms
- End Result: Open communication & expectations; prevention

Shadow Brook HOA President stated board had received multiple emails and calls from Homeowners who have provided feedback on the proposed changes and thanked everyone for their input

Discussion on process HOA board and ACC takes to update or make changes to policies and/or rule.

- ACC takes public input on documents
- Board to determine if material changed are required
- Board action on each document
 - Vote 'As is' to enact or not
 - Vote approved with changes based on input

Community Discussion and Input on Draft Policies

Kevin from ACC walked through drafts to update/change Remodel Rule, ACC and HOA Related Rules with included: Architectural/New Construction, Home Maintenance, Painting, Landscaping, Roofing, Siding, and Miscellaneous

Review#1: Shadow Brook Remodel Rule

Discussion with homeowners leading to request to improve language to clear up language on 6 week approval period. Also a request was made to change any mention of rules to rule for consistency

- Improved/clearer language on 6 week approve period
- Change mention of "rules" to "rule" for consistency
- **HOA President made motion to adopt changes and enact policy**
- **Motion seconded**
- **Motion passed and the rule is approved/adopted with noted changes**

Review #2: ACC Related Rules

Board and ACC discussed need to reinsert Antenna Policy and had discussion on OTARD rule

- Board agreed to reinsert Antenna Policy and further investigate OTARD Rule

Home Maintenance Rules

Board and ACC discussed proposed changes to home maintenance and answered questions around clarity on when and who needs ACC approval and need to incorporate the term "however" to highlight when action from homeowner was required

- **Homeowner feedback:**
 - Rewrite/restate language clarifying what needs ACC approval
 - Addition of the term "however" to better differentiate when Homeowners are required to request ACC approve

Painting Section

Board and ACC discussed proposed changes to painting section and answered questions around choice of paint colors and when ACC approval was required. Discussion around trim color was raised leading to request changes to trim be called out in the proposed changes.

- Add language to highlight changes to color and/or finish includes trim

Roofing Section

Board and ACC discussed proposed changes to roofing. ACC expanded the importance around this topic as some homeowners have had to stop or redo work when materials or roof type did not meet ACC requirements. There was a request from Homeowner to provide list of approved materials and how ACC will handle new material in future. Board feels existing language covers request.

Siding and Exterior Section

Board and ACC discussed proposed changes to siding and exterior. Only question discussed was around what should a homeowner do if existing materials were not longer available if repairs or replacement were needed. ACC stated they would work with homeowners when request was made to ensure like or equivalent materials are used in this type of scenario.

- **HOA President made motion to adopt changes and enact policy**
- **Motion seconded**
- **Motion passed and the rule is approved/adopted with noted changes**

Review #3: Drought Landscaping Rule

Board and ACC discussed proposed changes to landscaping and Drought section. ACC reminded homeowners it is their responsibility to maintenance front yards during and/or outside drought conditions. There was also discussion about need for homeowners to address shrubs/bushes that invade common areas including sidewalks.

- Update document and correct "Owner" to "Homeowner"
- **HOA President made motion to adopt changes and enact rule**
- **Motion seconded**
- **Motion passed and the rule is approved/adopted with noted changes**

Balance Sheet update and Pool Project Update

- **Balance sheet review**
 - Approximately \$324K cash on hand
 - Action item to post updated balance sheet to website by Dec 1, 2017
- **Projected Revenue**
 - March 2018 Homeowner dues: \$127K
 - March 2018 Associate Member dues: \$63K
- **Pool Repairs Budget and Timing**
 - Budget \$250K-\$300K
 - To include - Pool deck demo, piping, concrete, fixtures, and other requirements as project progress
 - Timing is planned for Feb/Mar 2018
- **Line of credit proposal from President in the amount of \$100K**
 - Questions raised on where HOA will get line of credit
 - Board feels opening line of credit is essential to complete necessary repairs to pool deck
 - Board is actively reviewing banks to establish line of credit
 - **Important to note this is only for contingency**

Open Forum/Questions

- Questions on replacement of fixtures?
 - Ladders and lifeguard chairs, etc
- Is there a need to replace pool surface?
 - Not at this time
- Will there be a GC for this project?
 - Part of bid process but no active GC other than HOA board at this time
- Three outstanding bids with possibility of fourth
- Questions on scope of pool
 - HOA Board to provide list/scope of work upon request
- Request to get a message out to homeowners and Board committed to producing New Year Splasher
 - HOA Board agreed to communicate in January Splasher
- Request to keep pool open into September beyond Labor Day weekend
 - Board's goal to maximize pool season but is dependent on staff
- Question on Gate guards and the effectiveness

President closes meeting 9:05PM