

# THE SPLASHER

Check us out online at [www.shadowbrook.org](http://www.shadowbrook.org)

## March 25th Board Meeting Update

Meeting was held at 7PM via teleconference between Board and homeowners. Main agenda item was a discussion and vote on 2020 Election rules which were adopted during meeting. Agenda and meeting minutes have been posted on shadowbrook.org.

## Your Board

**President:** Patrick Smith  
[president@shadowbrook.org](mailto:president@shadowbrook.org)

**VP/Social:** Staci Tenczar  
[social@shadowbrook.org](mailto:social@shadowbrook.org)

**Secretary:** Mike Beyersdoerfer  
[secretary@shadowbrook.org](mailto:secretary@shadowbrook.org)

**Treasurer:** Karen Rockwell  
[treasurer@shadowbrook.org](mailto:treasurer@shadowbrook.org)

**Comms:** Pete Contini  
[splasher@shadowbrook.org](mailto:splasher@shadowbrook.org)

*And you can always reach your ACC at [acc@shadowbrook.org](mailto:acc@shadowbrook.org)*

*If you are interested in volunteering, please email the board at [volunteer@shadowbrook.org](mailto:volunteer@shadowbrook.org)*

## Message from your Inspector of Elections

The Shadow Brook Board has officially approved the election rules, so we are ready for our next step in the 2020 Shadow Brook HOA Board of Directors elections. Although these are challenging times, the Shadow Brook Board and I are committed to navigating the COVID-19 challenges, and to stick as closely as possible to the proposed election timeline.

Please find attached to this Splasher, the official **Notice of Nominating Procedure** and **Call for Candidates**. This is a **two-page notice**, the first page lists the qualifications that a candidate must have to qualify. Please complete the self-nomination form on the second page, and mail the nomination form to the following address:

**Shadow Brook HOA and Swim Club**  
**P.O. Box 20271**  
**San Jose, CA 95160**

All nominations must be postmarked by **April 25, 2020** to qualify. Please make sure to fill out all fields of the nomination form. The "Candidate Introduction / Bio" section will be published with the ballots, on a single two-sided pamphlet. So, please **keep your introductions under 200 words**, and feel free to email me an electronic version of your Bio to the following email address: [sb\\_elections\\_2020@yahoo.com](mailto:sb_elections_2020@yahoo.com).

Thanks for your patience as we work through this process, and as always if you have any questions or concerns, feel free to email me at [sb\\_elections\\_2020@yahoo.com](mailto:sb_elections_2020@yahoo.com).

Emre Tapucu, Inspector of Elections

## Sharks Update

During these unsure times, we want to assure you that we, your Sharks family, are still here for you! Our utmost concern is the safety of our families. We are closely monitoring the situation and safety guidelines set forth by Santa Clara county, the CDC and Pacific Swimming. Due to the current restrictions, we do anticipate a later start to our season. At this time, we don't have an exact date. You can still sign up at [shadowbrook.org/swimteam](http://shadowbrook.org/swimteam)

Please check our website regularly for the latest information. Also, please note we DO NOT cash checks until the season has been underway for several weeks so there is no need to stop payments or ask for refunds if you plan not to participate.

If you have further questions, please email Staci and Katie at [shadowbrooksharks@gmail.com](mailto:shadowbrooksharks@gmail.com)

**Shadow Brook Homeowners' Association  
Notice of Nominating Procedure**

This is the official notice for the **Nominating Procedure** and **Call for Candidates**. The candidate qualifications are as follows:

1. A Candidate shall be disqualified for not being a Member of the Association at the time of the nomination [as validated by Shadow Brook system of Record – QuickBooks], subject to the following:
  - a. A developer is not restricted from making a nomination of a nonmember candidate consistent with the voting power of the developer as set forth in the regulations of the Department of Real Estate (DRE) and the Association's governing documents.
  - b. If title to a separate interest parcel is held by a legal entity that is not a natural person, the governing authority of that legal entity shall have the power to appoint a natural person to be a Member. The natural person appointed as Member must be a trustee, director, shareholder, or partner of the legal entity that holds title to the separate interest parcel.
2. A Candidate shall be disqualified if any of the following apply:
  - a. The Candidate is not current in the payment of regular or special assessments, subject to validation, except if:
    - i. The Candidate has paid the regular or special assessment under protest.
    - ii. The Candidate has entered into a payment plan for the delinquent regular or special assessments.
  - b. The Candidate, if elected, would be serving on the Board at the same time as another person who holds a joint ownership interest in the same separate interest parcel as the Candidate, and the other person is either properly nominated for the current election or an incumbent Director.
  - c. The Candidate discloses, or the Association is aware or becomes aware of, a past criminal conviction that would, if the person was elected, either prevent the Association from purchasing the fidelity bond coverage required by California Civil Code § 5806 or result in the termination of the Association's existing fidelity bond coverage.
3. A Candidate shall not be disqualified under the following circumstances:
  - a. For nonpayment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party.
  - b. If the Nominee has not been provided the opportunity to engage in internal dispute resolution pursuant to California Civil Code §§ 5900-5920.

Please complete the form on the reverse side to self-nominate. All nominations must be postmarked by April 25, 2020, and mailed to the following address:

**Shadow Brook HOA and Swim Club  
P.O. Box 20271  
San Jose, CA 95160**

**Shadow Brook Homeowners' Association  
2020 Candidate Nomination Form**

Full name of Candidate: \_\_\_\_\_

Phone number of Candidate: (\_\_\_\_) \_\_\_\_\_

Email address of Candidate: \_\_\_\_\_

Property address within Shadow Brook HOA (HOA Property of Record):

\_\_\_\_\_

Preferred mailing address (if different from above): \_\_\_\_\_

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Candidate introduction / bio to be provided with election Ballots

- Bios can be emailed to **sb\_elections\_2020@yahoo.com**
- Please limit bios to 200 words, due to space constraints

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## Shadow Board of Directors Election Time Line Estimate ( Current as of 3/22/2020 )

sb\_elections\_2020@yahoo.com

Election Event	Date	Number of Days Before Election
Notice of Proposed Election Rules	February 24, 2020	126
Election Rules Finalized (Board Meeting)	March 25, 2020	96
Notice of Nominating Procedure	March 25, 2020	96
Nomination Deadline / Candidate List Finalized	April 25, 2020	65
Notice of Meeting & Candidate List	April 28, 2020	62
Voter List Finalized / Ballot Materials Sent	May 29, 2020	31
Election Date	June 29, 2020	0
Notice of Election Results	June 30, 2020	-1

