

Minutes – San Clemente Estates Special Meetings to Vote on Annual and One-Time Assessments

July 17, 2022, and August 28, 2022

The Board of Directors (Board) of the San Clemente Estates (SCE) homeowners' association (HOA) sponsored two in-person special meetings of property owners to vote on an increase in the annual assessment and on a one-time special assessment. Both meetings adhered to the requirements of Article IV, Covenant for Maintenance Assessments, in the Amended and Restated Declaration of Covenants, Conditions, and Restrictions.

The first meeting was held on July 17, 2022. More than 30 days prior to the meeting, Dana Properties mailed the notice to the address of record for each property owner (aka members). The notice included proxy ballots for the individual members. Marise Textor, President of the SCE HOA, called the meeting to order at approximately 4:00 p.m. We reviewed the Proof of Meeting notice and then counted the number of properties represented by attendees plus proxy ballots. The following people attended the meeting in person:

- Board member Karen Foster and Bubba Foster – 375 Rocky Pointe
- ARC Chair Patty Russell and Alan Russell – 456 Rocky Pointe (2 lots)
- Board President Marise Textor – 424 Lechuguilla
- Board Treasurer Brisa Garcia – 347 Rocky Pointe (2 lots)
- Rose and Victor LaGloahec – 400 Lechuguilla
- Luisa and Mark Smith – 452 and 449 San Clemente
- Carlos and Lais Vazquez – 370 Rocky Pointe
- Diane Anderson – 382 Rocky Pointe
- Terry and Tony Montelongo – 394 Rocky Pointe
- Representative for 354 Rocky Pointe

The number in attendance plus proxy ballots did not equal the required quorum of 49 properties represented in person plus by ballot (60% of the number of lots = 60% of 82 = 49).

Without the quorum, the vote could not be completed. The meeting continued with a tally of the votes obtained so far and open discussion. Treasurer Brisa Garcia reviewed the budget and discussed the need for the assessments. President Marise Textor discussed the need for the assessments. The Board listened to other concerns expressed by the property owners in attendance. No action was taken at the meeting. The meeting adjourned.

The second meeting was held on August 28, 2022. More than 30 days prior to the meeting, Dana Properties mailed the notice to the address of record for each property owner. The notice included proxy ballots for the individual members. Marise Textor, Chair of the SCE, called the meeting to order at approximately 4:05 p.m. We reviewed the Proof of Meeting notice and then counted the number of properties represented by attendees plus proxy ballots. The following people attended the meeting in person:

- Board member Karen Foster and Bubba Foster – 375 Rocky Pointe
- ARC Chair Patty Russell and Alan Russell – 456 Rocky Pointe (2 lots)
- Board President Marise Textor – 424 Lechuguilla

- Board Treasurer Brisa Garcia – 347 Rocky Pointe (2 lots)
- Rose and Victor LaGloahec – 400 Lechuguilla
- Luisa and Jerry Miller – 441 Cross Canyon

The required quorum for the second meeting was 25 (one-half the required quorum for the first meeting) including ballots turned in to-date plus attendees who had not previously submitted a ballot. A total of 41 ballots were turned including one ballot received from attendees at the second meeting. The attached table presents the list of all property owners who voted including those who voted at the first or second meeting or by turning in a ballot. Where a name appears twice, the property owner owns two lots which entitles the owner to two votes, one per lot. A successful vote to pass the assessment requires that 2/3 of the number voting vote in favor of the item. With 41 votes, we therefore needed 27 in favor for either of the measures to pass.

Board President Marise Textor asked the new attendees if they wanted to hear the discussion of the budget and need for the assessments, and they declined. Therefore, the meeting proceeded to a count of the ballots. The final tally of ballots was as follows:

- Increase in annual assessment to \$1200 per year – 30 votes “yes” and 11 votes “no”
- One-time assessment of \$1000 – 32 votes “yes” and 9 votes “no”

Neither vote included any abstentions.

The “yes” votes for each item exceeded the required minimum to pass of 27; therefore, both measures passed.

After reviewing the voting results, the Board discussed the path forward for invoicing (September 2022 for the one-time assessment and January 2023 for the new annual assessment). The Board then listened to other concerns expressed by property owners in attendance.

The meeting adjourned.

Respectfully submitted by Board President Marise Textor
Approved by email vote of the Board on September 1, 2022

Ballots were received from the following property owners:

Name	SCE Address
William T. and Monika F. Story	379 RP
Brisa Garcia	347 RP
Brisa Garcia	343 RP
Mohamad Almajar	401 SC
Mohamad Almajar	405 SC
Ramon Benavides	409 SC
Stanley Fenton	421 SC
Jaime and Linda Torres	425 SC
Bradley Gelo	433 SC
Liza and Brian Moats	445 SC
Carlos and Rocio Viesca	453 SC
Robert Foster	375 RP
Juan & Theresa Montelongo	394 RP
Yung Po Lin	449 SC
Victor LeGloahec	400 L
Jacqueline & Raul Lopez	354 RP
Jacqueline & Raul Lopez	440 SC
Andrew & Joann Palofox	437 SC
Diane & Robert Anderson	382 RP
Alan & Patty Russel	452 RP
Alan & Patty Russel	456 RP
Carlos Vasquez	370 RP
Glenn Gelabert	412 L
Michael Myers	416 L
Michael Myers	420 L
West Texas Property Development	354 RP
Wetmount Asset	366 RP
Justin Marc & Mariela Lane	371 RP
Matthew & Claudia Bowman	378 RP
David & Tosin Opawumi	392 RP
Brian & Valeria Allen	404 RP
Marise & Roy Textor	424 L
Adrian Guevera	409 RP
Adrian Guevera	409 RP
Mark & Luisa Smith	452 SC
Mark & Luisa Smith	456 SC
Mark & Bertha Earley	374 RP
Robert L. Bowling	457 SC
Robert L. Bowling	461 SC
Larry Stockton	413 SC
Luisa and Jerry Miller	441 Cross Canyon