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Channels of Communication

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For The Health Of It

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Channels of Communication is a quarterly publication of the Channel Islands Chapter of Community Associations Institute prepared expressly for Association leaders, managers and other related community association professionals. This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is issued with the understanding that the publisher is not engaged in rendering legal, accounting or other professional services. If legal advice or other expert assistance is required, the services of a competent professional should be sought.

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president's message



Tracy R. Neal, Esq. Beaumont Tashjian



Dear Members,

First and foremost, I want to thank you for your membership in the Channel Islands Chapter. I am honored to serve as your Chapter's 2018 President. My personal thanks and sincere appreciation goes to Gordon Miller, our immediate past president for his leadership.

As we look back at all that we have achieved, we can say 2017 was a year of many successes. Congratulations are in order for the newly elected board members. I have the honor to work with a dedicated and enthusiastic board of directors. We have been busy planning an exciting year and look forward to your participation. We call on you to get involved, volunteer and support the Chapter. I'd also like to thank our business partners for their support. Our Chapter has a fantastic group of business partners. Without their support, we would not be able to provide the services and events that are so important to our Chapter. I want to take this opportunity to sincerely thank you for your continued support.

The Channel Islands Chapter serves Ventura, Santa Barbara, San Luis Obispo and Kern Counties. This year, we are 700+ strong, and our Chapter's mission is Cultivating Communities.

How do we intend to Cultivate Communities?

- By continuing to foster the growth of the Chapter. This year it is easier than ever for entire association boards to join CAI at the lowest cost.
- By extending our unwavering commitment to education. Less than one year ago, our Chapter was recognized nationally for our outstanding educational programs and we are dedicated to presenting interesting and timely programs this year.

My hope for the year is that you, as members, gain as much value from your membership as I do. Our Chapter is committed to providing a variety of opportunities to interact with members and we value involvement in the Chapter. There is no better way to expand your relationships, and involvement within the Chapter is a great way to cultivate community. Also, take advantage of volunteer opportunities by serving on one of our committees.

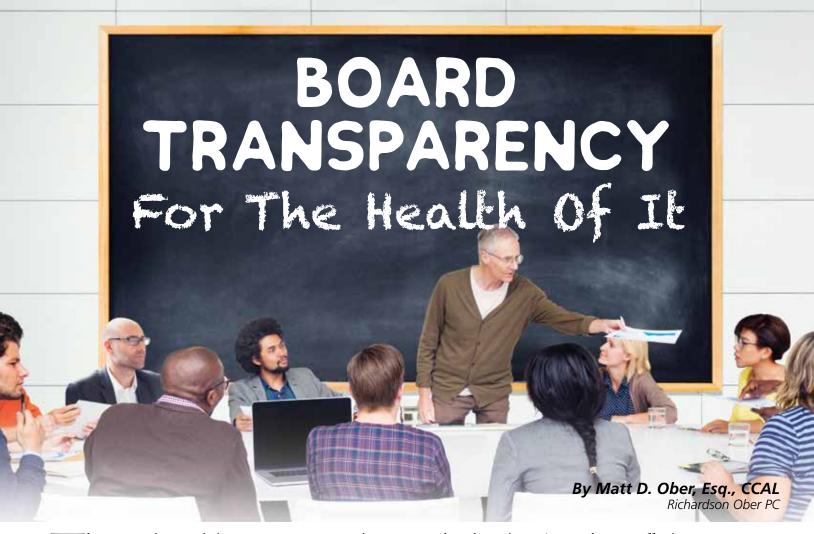
Please know that our industry relies on advocacy for our communities, owners, and residents. With this said, I encourage our Chapter members to learn more about legislative initiatives affecting our industry. We look forward to your participation in our Chapter's Local Legislative Action Day, which provides members with the opportunity to let their voice be heard by our legislators. Last year's Local Legislative Action Day was a huge success. I anticipate nothing less for this year.

Lastly, I would like to acknowledge our Chapter communities that were affected by fires and mudslides. The resolve and resilience of those affected communities is a testament to the saying "it takes a village," for us we know, it takes a community.

I look forward to meeting each and every one of you at an upcoming event and I hope you'll let me know how I'm doing. This Chapter belongs to us! Help us keep it strong - 700 Strong!

Your 2018 President,

Tracy R. Neal, Esq. CAI-Channel Islands Chapter President



The community association governance structure is rooted in the representative democratic model where members elect leaders to make decisions on behalf of the whole. Homeowners knowingly buy in to residential communities and elect leaders who will govern while protecting the value of their most precious asset; their home. These members agree to be governed by those they elect. But the "trend" toward challenging authority has made its way into our communities, leading to a growing membership that is questioning the status quo, business as usual, or the lack of transparency on all levels. Armed with just enough law in their arsenals, members seem more emboldened to challenge everything from elections to board meeting conduct. Community governance is being challenged. Directors no longer have the freedom to govern without opposition. Members who knowingly decide to reside in a common interest development are reticent to have their property rights controlled by a board of 3, 5, 7 or sometimes 9 directors without at least knowing why decisions are made, and being allowed to provide input--to question the decisions made by the elected few. Transparency.

Board Meeting Conduct Policy

Nothing breeds animosity and resentment toward community leadership more than chaotic, hostile or poorly

run board meetings. Among the most effective governance tools is the Board Meeting and Board Member Conduct Policy—a set of practical rules that inform the directors how they are supposed to conduct themselves in a board meeting. This sets the tone for the meeting and reminds both director and member alike that this is an association that will be governed with respect and the rule of law.

A common frustration for managers and association boards of directors is dealing with issues that arise out of conflict with individual board members. At some point we all have heard of the board member who is hostile, disagreeable or the proverbial "loose cannon." Other boards have struggled with how to rein in the director who consistently advances his or her own agenda without regard to the best interests of the association. Finally, there are directors elected, for whatever reason, who feel compelled to reveal confidential information about the association to third parties. Unfortunately, the Corporations Code does not yet contain a provision allowing the board to remove a director for behaving badly.

Not only must each director guard against his or her own misconduct, but also, each director has an affirmative obligation to monitor the conduct of every other director

to ensure that all directors act in furtherance of his or her fiduciary obligation to the association. This includes preventing the deliberate or inadvertent disclosure of confidential executive session materials. A board that regulates itself will send a positive message to the community that its association is governed by those with a high regard for the best interests of the community. Although the Corporations Code establishes a bench mark for acceptable conduct by board members, your association should consider establishing a code of conduct which outlines the obligations of a director, and the consequences of failing to meet those obligations. At a minimum, a code of conduct should include the following director obligations:

- To maintain the confidentiality of executive session information;
- To put personal interests aside and advance the best interests of the association;
- To respect, abide by, and carry out the decisions of the majority of the board;
- To treat both fellow directors and homeowners with respect; and,
- To approach issues for board decision informed, prepared, and with an objective, open mind.

A Meeting is a Meeting is a Meeting

Transparency is threatened when it seems that a board has predetermined its open board meeting decision in a prior "informal" meeting or gathering. The lines often are blurred as to what is and is not a "meeting" under the Open Meeting Act. Despite the 2012 legislative attempt to clarify the Act, boards still struggle with what they can and cannot discuss, with whom, and when. The Open Meeting Act defines a meeting as "a congregation of a majority of the members of the board at the same time and place to hear, discuss, or deliberate upon any item of business that is within the authority of the board." This means that many of the tasks board members take for granted can no longer be done outside of a regular noticed meeting. In other words, when a majority of the board gets together, anytime, anywhere, to discuss any item of association business, that is likely an Open Meeting Act violation.

Some ways to prevent the inadvertent violation of the Open Meeting Act include:

- Making sure a committee does not include a majority of the board:
- Airing on the side of caution. Refrain from discussing board or community matters where a quorum of the board is present, even if merely engaging in what seems like casual conversation;
- Not discussing in executive session matters that will be discussed at the upcoming Open session meeting; and,
- Avoiding activities which otherwise might involve a majority of the directors outside the meeting, and consider more delegation to a committee, director, or manager, within specific limits.

Finally, if the board has discovered that a matter was addressed inadvertently at a "meeting" in violation of the Open Meeting Act, the board should place that matter on

the agenda for the next open meeting and ratify the decision, making sure to explain what happened and why, and that the error is being corrected. Members are more apt to be forgiving with full disclosure of the error, than if they find out through a third party, or worse yet, through rumor, or social media.

Use the Open Meeting Act to Your Benefit

Open board meetings that allow adequate input from members lead to more transparent communities. Your Board meeting conduct policy should include open forum rules. The Open Meeting Act [Civil Code Section 4900 et Seq.] grants an association member the right not only to attend Board meetings, but also, to speak at that meeting.

"The board shall permit any member to speak at any meeting of the association or the board, except for meetings of the board held in executive session. A reasonable time limit for all members of the association to speak to the board or before a meeting of the association shall be established by the board." [Civil Code §4925]

While often a dreaded part of board meetings, the open forum is an important ingredient of a transparent association. If members have a chance to express their concerns publicly, to the board and members in attendance—and feel heard, the board will appear engaged, approachable and transparent. And a transparent board reduces suspicion and animosity. But an open forum run a muck can have the opposite effect. Uncontrolled member comments can make directors feel attacked and put them on the defensive. Meetings may become hostile, contentious, argumentative, and unpleasant. Therefore, open forum guidelines are required and should include the following:

- A set time during the meeting for open forum to avoid interrupting the board business agenda.
- Set up reasonable time limits.
- Listen! Allowing members to speak without comment or interruption by the board, management or another member.
- · Acknowledging the comments made and thank them. If appropriate let them know you will get back to them.
- Accepting criticism without being defensive. Those who speak are passionate about their community but may lack the ability to articulate their concerns.
- Considering a separate open forum at the beginning of the meeting for published agenda items and a separate opportunity for general comments at the end of the board agenda, before adjourning.
- Not discussing or taking action on any open forum topics. If action is required, it should wait until it is worked up by management and placed on the agenda for board action at a subsequent meeting.

Respect the Executive Session; Use it Wisely

An area of community governance that remains the biggest threat to transparency in many communities is the executive

(Continued on page 9)



session board meeting. Either boards are unsure of what is covered by the executive (a/k/a closed) session meeting, they misunderstand the purpose of executive session, or they are just being cautious. But invariably topics are brought into executive session that should only be addressed by the board in an open meeting. Just because a topic may be sensitive or difficult to discuss does not qualify it as an executive session matter. In fact, improperly addressing an issue in executive session violates the Open Meeting Act.

Civil Code Section 4935 allows the board to meet in executive session to discuss the following:

- litigation,
- matters relating to the formation of contracts with third parties,
- member discipline,
- personnel matters,
- to decide whether to foreclose on an assessment lien; or
- to meet with a member, upon the member's request. regarding the member's payment of assessments.

That's it! Matters often mistakenly included in executive session include 1) contract approvals. 2) budget discussion or approval, 3) committee appointments, 4) filling board vacancies, and 5) architectural modification appeals to the Board for example. Again, if it is not listed in the above categories as a permissible executive session topic, it is an open session agenda item and treating it otherwise violates

the Open Meeting Act. Perhaps more importantly, the regular practice of improperly addressing in executive session matters that are properly decided in front of the membership body may send the message that the board operates behind closed doors and has something to hide. That, in turn, breeds suspicion, distrust and animosity. So, open your doors and let the transparency shine through. It will be good for your community. 🏚



Matt D. Ober is a principal of Richardson Ober PC where his practice is dedicated to exclusive representation of community associations throughout Southern California. *Matt has served as counsel to community* associations for over two decades and has made significant contributions to

the Community Association industry through both the Community Associations Institute (CAI) and the California Association of Community Managers (CACM). Matt is a member of CAI's National Faculty, and a CACM faculty member. He is a Fellow of CAI's College of Community Association Lawyers (CCAL) and serves as a member of the CCAL Board of Governors. In addition, Matt has earned the Martindale-Hubbell "AV" peer review rating signifying the highest rating in legal ability and ethical standards.





pring-cleaning starts way before spring actually arrives. As the first buds start appearing you should be ready to go for spring and summer... and it starts in September and October as you are planning your budget for the next year (Or 120 days before your association's year-end).

Typically, we ask the board members at the August board meeting to develop an individual "wish list" for the coming year. "In a perfect and adequately funded world, What would YOU like to see happen this next year?" Then using their wish lists as a tool and the most current reserve study we have as a general outline of what they would like to have happen next year and can integrate into the budget process.

Once the new year arrives, we look at what <u>must</u> get done before the pool gets turned back on, the hot summer months begin and the irrigation needs to be revved up. Making a list of all amenities on a simple spreadsheet and then a description of what must be done and then to a lesser degree what we would <u>like</u> to accomplish as spring arrives and through the summer months.

Poo

- Ask your pool maintenance company to give the pool heater a dry run and see if the heat turns on when prompted.
- Remind them to check for leaks in all equipment and holes in filters and other baskets.
- Good time to check for all legally required signs: make sure the pool and spa capacity are filled in.
- Check the condition of the hook, the life ring and the rope attached to it; replace as needed.
- You know the Health Department will be there on the first Monday after the first long hot weekend so be prepared!
- Check your pool furnishings and umbrellas before the pool heat is turned on and check your reserve study to see what the useful life could be for various items.
- Check for rips, tears, sharp edges and broken lounges, tables and chairs.

Landscape

 Removal of fallen branches and clean up of debris from the rains/winds or in some cases melting snow. Branches sometimes fall and get caught in

- the trees so have the landscaper get them down (under 12 feet) or your tree company (Arborist).
- Thin out shrubs for spring/summer growth and for optimum blooming.
- Plant color at the monument or change it out. A mass of the same color is more visible than a variety of colors or switch it up!
- Make sure all irrigation is working and that there are basins cut around the sprinkler heads so they can water properly.
- Your Arborist (Tree trimmer) will need to come out and give the Board this years' estimates for which trees need trimming. Check your budget and take care of health and safety items first (dead and diseased trees).
- Walking with your arborist also look for trees planted too close to buildings, too close to other trees and those just planted in the wrong place.
- Make sure you also have a small budget for unexpected tree events.
 We typically call this line item "911 Trees".
- Patch any concrete swales that may be broken or cracked.
- · Clean out all debris basins or swales.

Rules

- Several months before the pool officially opens; add the pool rules to the Board's agenda for review. Have there been any new laws that have been enacted this last legislative session? Do we need to modify the pool rules? Do we want to modify the pool rules? (We all remember the requirement of the posting of the diarrhea signs several years ago!)
- Be sure if the rules are modified, the changes are noted in a mailing to the owners which requires a 30 days response period.
- Every couple of years look with fresh eyes to your rules in general. Again, laws change and we need to keep up with anything that affects our day-to-day community living.

Committees

- Ask for volunteers! Always be on the look out for a person who is willing to help with a project. People love being asked to help with a project because their skills are valued.
- Don't hesitate to ask!

Clubhouse

• Spring is a great time for window washing especially if you are looking out into the big beautiful pool area.

- Spring cleaning of the floors, drapes, carpets and counter tops.
- Clean out any refrigerators and freezers and wipe them down inside and out.
- General deep cleaning of the clubhouse.

Newsletters

- Yes, there can be a "spring cleaning" of the community newsletter!
- Take a fresh look at your logo or fonts; decide what subjects that you'd like to see on page one and what other items (Such as hidden gems from your Manager) can be on the other page(s).
- Change the newsletter paper to a color for several months to grab

the attention of your owners and residents.

• Vow to not make the newsletter not just no. No, NO! Positivity works! Encourage a healthy and vibrant community!

Street and **Sidewalks**

• If it's been a particularly rainy winter, your asphalt may

- show signs of cracking or potholes forming. Asphalt professionals typically start their crews working again in the spring when the temperatures increase, so get your bids early spring so you can get the crews booked early.
- Be on the lookout for sidewalks that are lifting, cracked or missing pieces as these can be a safety hazard.

The above listed items are great to calendar for your annual checklist and to keep handy in your board member tool kit! This list will assist your community in being ready to enjoy the summer months ahead.

Ruth Cederstrom is owner of Concord Consulting & Association Services Inc., a Camarillo based company. Ruth began her career in 1978 when she volunteered to serve on her condominium Board of Directors. Since then she has been an onsite manager, portfolio manager and now owner of Concord Consulting &

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2017 CAI-Channel Islands Chapter Member and Volunteer Awards



Committee of the Year Award Luncheons Committee co-chaired by Tina Nakamura, CMCA, AMS, PCAM PMP Management, AAMC Jose H. Glez, CIRMS, CMCA Cline Agency Insurance Brokers, Inc.



Diane Doria Volunteer of the Year Award Jasmine Hale, Esq. Adams Stirling PLC



Speaker of the Year
Luncheon: "The HOA Show" presented by
Chelsi Rueter, CCAM, CMCA, AMS, PCAM Community Property Management

Jeff Beaumont, Esq., CCAL Beaumont Tashjian (not pictured)



Community Manager of the Year
William Whitt Jr., CCAM AMS Realty, Inc.



Association of the Year - Small Las Casitas Maintenance Association Ruth Campbell, CCAM CID Management Solutions



ssociation of the Year -**Medium/Large Los Robles Estates** Margaret Thompson, Board Member

Up & Coming Manager Rodrigo Martinez, AMS Realty, Inc.



ALLBRIGHT 1-800-PAINTING

Carlos Cortez, Tatiana Brunstad

and Josh Abramson

Business Partner of the Year

West Coast Plumbing Doug Ingram



Monte Sereno Condominium Owners Association

Distinguished Service Award Robert Scheaffer, CMCA, AMS, LSM, PCAM Leisure Village Association

William S. Dunlevy Award

(Channels of Communication magazine article submission) "Aging in Place" submitted by Gary Porter, CPA, RS, FMP Porter & Lasiewicz, CPA



Rookie of the Year Christi Moore, CMCA, AMS Leisure Village Association



Then my wife and I retired, sold our home back east, moved to California and bought a condo in Ventura County, we decided we wanted to be active in our new community. So one year later, when the outgoing HOA President called and asked my wife if I might be interested in running for the board, her answer was "sure, what else does he have to do?" Now, nearly six years (and six boards) later, I have seen and learned a lot about what makes a good board member, what makes a successful board, and conversely, why some boards fail. I hope some of these tips will be helpful for you as a board member especially if you are a newly elected board member.

Be Prepared

When all board members come into a meeting on time, and having digested the board packet prepared by the community manager, there's much less wasted time. Many months you'll have lots of proposals and issues to consider and if a board member tries to catch up at the meeting, it just slows down the discussion and prevents the group from accomplishing all they would like. You want to give everyone a chance to ask questions, express their opinions, vote on a proposal and move on to the next item of business. Successful boards understand the material to be discussed and are prepared to discuss them.

Be Organized

I know everyone has their own way of working, their own system, and it works for them, but if I had to give a new

board member one piece of advice, it would be to organize your files. If you keep each item in a separate file (land-scaping, roofing, termites, etc.), you'll be able to find the information you're looking for. I'm sure there are many successful people with messy desks or inboxes, but you are part of a group, and not being able to locate the information will slow down your meetings and hinder the ability of the group to function.

Your Fiduciary Responsibility

This takes awhile to sink in, but every board is responsible to the homeowners to act in a manner that protects the financial health of the HOA, to maintain the property, and to hold the wellbeing of the HOA above your own personal preferences. While some Boards try their best to hold down assessments, they have a responsibility to the community to maintain the property, both functionally and from an esthetic sense.

Time Management

This is a difficult thing to do when homeowners approach you, on your own time, to complain about some issue. While you are tempted to try to solve all problems, these issues should be reported to your community manager unless you are at a board meeting, which provides a forum for homeowners to address board members. I'm still wrestling with this one.

Eves and Ear

While you are not available to every homeowner who wants to lobby for this or that, you can still be aware of what goes on in your community. The community manager may not be on-site 24x7, and if you see something that needs attention, or you become aware of a situation that should be addressed, you should make sure the manager is notified. Well-run communities rely not only on board members, but homeowners to report issues that arise.

Don't Take It Personally

The worst situations I have encountered during meetings are personal attacks on board members, the community manager or homeowners. Meetings can get heated, but everyone has to realize that this is not your job. You are serving on the board because you care about the community. Members can disagree very strongly without attacking others. You have to have thick skin and a sense of humor sometimes, but keep the big picture in view.

Keep Learning

During my first term as a board member, we were encouraged by our community manager to join CAI, and attend the meetings and events. I'm so glad that I decided to take advantage of this opportunity. I started attending the monthly luncheons and realized that you need to keep abreast of new developments if you want to be an effective board member.

I take back at least one valuable piece of information at every CAI meeting, be it new laws, new products, trends or how similar communities are dealing with issues that affect our community.

Being a board member can be very rewarding or very frustrating, but usually both. When homeowners praise you, you have a great sense of accomplishment. When you get criticized despite your best efforts, it's deflating. You just have to look at your community and decide whether someone else could do the job better than you, with more commitment or more energy. If not, you're in the right place.



Steve Sales has been Secretary for the Palm Colony HOA since 2012, and a CAI member since 2013. A former IT manager, Steve retired to Camarillo in 2011 from New Jersey. He and his wife Gale enjoy traveling the world, including visits to the east coast to see their children and grandchildren.





ssociations with December 31st year ends make up a very disproportionate share of annual audits and tax returns compared to associations with fiscal years ending in any other month of the year. There is often intense pressure on managers, accounting departments and audit firms to complete accurate and complete audits and audited financial statements in a timely fashion. For the purposes of this article, we will not differentiate between an audit and a review. We will use the term "audit" throughout. Completing an efficient audit includes multiple steps, as described below.

Signed engagement letter ("proposal")

An engagement letter (commonly referred to as a "proposal") prepared by a CPA should be presented to the board for approval and signature for all engagements with CPAs. Returning an approved engagement letter to the CPA before the association's year end will provide more time for the CPA to plan and prepare for the audit. The management company's accounting department will also know which firm is performing the audit.

Documents and reports needed for an audit

Most required information is usually consistent for all associations; however additional information will be needed in other circumstances. Auditors will require background information about an association, including:

- Governing documents, including articles of incorporation, bylaws, covenants, conditions and restrictions (CC&Rs)
- Prior year audit
- Prior year tax returns
- Communication with the previous auditor as applicable
- Reserve study
- Budget
- Board meeting minutes

Some additional documentation may include communication with the Association's legal counsel, shared cost agreements, cost center details, correspondence with governmental agencies, and loan agreements.

Management company accounting departments generally provide the following reports, and access to information:

- Financial reports for the last month of the year
 - -Balance sheet
 - -Statement of revenue and expenses (often referred to as budget variance reports)
 - -Bank statements and bank account reconciliations
 - -Aged receivables report
- Prepaid assessments report
- · General ledger for the whole year
- Check register for the whole year
- Financial reports, including check register and general ledger for the period after the year end date.
- Insurance certificates
- Paid and unpaid invoices for the year being audited; and since the year end

Accrual versus non-accrual

Presenting audited financial statements in accordance with U.S. Generally Accepted Accounting Principles often requires auditors to record certain adjustments to the financial reports prepared by a management company. Management companies prepare monthly financial reports using the cash basis of accounting, modified accrual basis, or the accrual basis.

Under the cash basis of accounting, income reflects money received and expenses represent money spent. Assessments receivable and accounts payable are not presented on the balance sheet. As part of the audit, the CPA proposes adjusting journal entries to include balances receivable from owners for unpaid assessments, and any amounts payable to vendors for unpaid invoices.

Modified accrual basis accounting generally records assessment revenue when assessments are billed (accrual basis). Expenses are generally accounted for on the cash basis (as above).

Using the accrual basis, financial reports include assessment income when billed, and expenses using invoice dates rather than payment dates.

Completeness of records for the audit

Generally, the success of an audit can be measured by the completeness, accuracy, and timeliness of the audit and audited financial statements. In order to complete a successful audit, CPAs require access to full and complete documentation, in a timely manner. Completing the audit within a reasonable timeline in order for the Association's board of directors to comply with the Davis-Stirling Act requires full and complete documentation to be made available to the auditor shortly after the Association's fiscal year end. Article 7, Section 5305 of the Davis-Stirling Act states that "A copy of the review of the financial statements shall be distributed to the members within 120 days after the close of each fiscal year...".

Cash!

One of the most critical audit areas is cash. Cash, meaning all petty cash, bank accounts, and investment accounts. Together with the general ledger, bank and investment account statements can act as a roadmap of an association's financial activity for a defined time period, i.e., a fiscal year. For accounts where statements are not provided by the banking institution, an auditor will generally require an independent confirmation of the account balances as of the year end date. In terms of efficiency, this situation is often one of the main hurdles to completing audits on time. CPA's can verify account balances in various ways. The most common method is to send an account confirmation form to the institution, either using a standard confirmation form, or via an online service. Banks require confirmations to be signed by an authorized signer on the account. It is therefore imperative that signature cards are updated whenever signers change. Excessive time can be spent transmitting the confirmation forms to the board, waiting for a signature, sending the form to the bank, then waiting for a response from the bank. Many times, audits are nearly complete, but cannot be released until the banking institution returns a signed completed confirmation to the auditor.

Representation letter and final audit

Upon completion of the draft audited financial statements, the board reviews the audit report together with a representation letter. The client representation letter confirms management's and the board's representations, oral or implied, during the audit, and upon signature, the auditor will release the final audit report for distribution.



Jeremy Newman, CPA is principal at Newman and Associates Inc., An Accountancy Corporation, with offices serving all of California.



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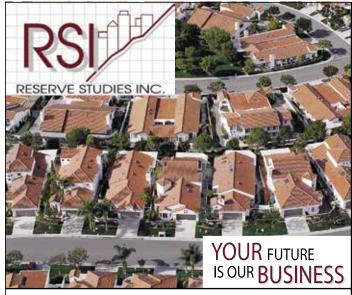
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CAI-CHANNEL ISLANDS CHAPTER LUNCHEON PROGRAM

Tuesday, March 27, 2018, 11:30 am

Los Robles Greens, 299 S. Moorpark Road, Thousand Oaks

PROGRAM SPEAKERS



Jeffrey Beaumont, Esq., CCAL

Beaumont Tashjian

Jeffrey A. Beaumont, Esq. is senior partner for Beaumont Tashjian - a full service community association law firm. Mr. Beaumont has almost twenty (20) years of experience providing general counsel and litigation services to his firm's community association clients. Mr. Beaumont is an active member of California Association of Community Managers (CACM), serving as a member of its faculty, and the Community Associations Institute (CAI), serving on CAI's National Faculty and past President for several Southern California Chapters. Mr. Beaumont is a member of the College of Community Association Lawyers, a group of less than 150 distinguished lawyers throughout the country.



Karen Kokowicz, CCAM, CMCA, PCAM

Coro Community Management & Consulting

Karen Kokowicz is CEO & Owner of Coro Community Management & Consulting, a full service management company exclusively dedicated to the management of community associations. Karen has worked in the industry for more than 25 years and has the Certified Manager of Community Associations (CMCA) designation, CAI's Professional Community Association Manager (PCAM) designation and the CCAM certification.



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Legislative Action Committee Updates & Announcements

By Jasmine Fisher Hale, Esq., CCAL

s we start the 2018 legislative action calendar at a running pace, it is worth a quick look back at the California Legislative Action Committee's (CLAC) 2017 accomplishments. We are proud to announce that 2017 marked an important pivot in our Chapter's place in our industry. We led the charge in, what has become, a new model for local advocacy action and engagement with our "Leg Bus," and are looking forward to more attendance and making an even bigger impact this year. We met our Chapter's contribution to support our advocate, Louie Brown, in Sacramento, and we had a consistent presence at luncheons throughout the year during our CLAC Moments. Way to go Channel Islands!

This article will outline the benefits of the Chapter's important Buck-A-Door program which benefits CLAC, update you on upcoming legislation (it's not just bad... its terrible!), and remind everyone about Legislative Day at the Capitol on April 8-9, 2018 in Sacramento... always my favorite time of year!

Before we jump into the legislature's 2018 edition of the "No Good, Terrible, Bill SB 721," let's talk about CLAC's Buck-A-Door program. Quite simply, Buck-A-Door is when a community association contributes to CLAC to support our legislative advocacy and actions based on \$1.00 per member in the association. If you have 35 members, you'll contribute \$35, if you have 2136 members (looking at you Leisure Village!) you would

contribute \$2,136. These funds go to helping CLAC successfully advocate on your behalves. Please consider adding a line item to your annual budget, because its literally a buck a door. If you would like more details or to contribute, please contact Executive Director Leah Ross.

Next, you have likely heard rumblings about SB 721, authored by Senators Hill and Kinner, otherwise known as the Bad Balcony Bill. For those who are late to the game, SB 721 would require, among other things, that every 6 years, associations would be required to have a licensed architect or structural engineer inspect (which includes destructive testing) all decks, balconies, and exterior elevated walkways and elements within a community association and prepare a report with their findings. Associations would be forced to make repairs within 180 days. SB 721 does not care about whether association members can pay for the repairs: they would be mandatory. While CAI supports safety and proper maintenance, we do not support legislation that may put people on fixed incomes into financial dire straits.

People, it's going to be all-hands-on-deck this year to help combat the passage of SB 721 which recently sailed through the State Senate with bipartisan support. Unless your association has a magic beanstalk with a money tree attached to the end, CLAC urges each of you

to call, write, and talk with your legislators to voice your strong opposition to SB 721. Without a chorus of voices advocating against SB 721, it will likely

While SB 721 is certainly nothing to celebrate about, it's not all doom and gloom in our legislative calendar. You've guessed it: it's that time of year again for this year's Day at the Capitol event on April 8-9 at the Hyatt Regency in Sacramento. This is our new Delegate's, James Perero, Esq., first year, so please sign up and join him for a fun-filled weekend program and day of lobbying. In addition to participating in shaping our industry's legislative successes and walking the halls of our State Capitol, you will also get to toast a glass of wine at the Meet the Delegates mixer with our other Delegate, Steve Roseman, Esq. Please see Executive Director Leah Ross if you have any questions or if you'd like to sign up.

Its my continued privilege to serve as the Chapter's CLAC Liaison. If you would like to get involved, please see me and feel free to join us for a Committee meeting, always held right after the monthly luncheon. A

Jasmine Fisher Hale is a Partner at the law firm Adams Stirling PLC and has been practicing law for 15 years. She specializes in representing community associations as their general counsel. Jasmine serves as CAI-Channel Islands Chapter's Liaison for the California Legislative Action Committee (CLAC).



2018 **Chapter Calendar of Events**

- Mar 27 Chapter Luncheon, Los Robles Greens, Thousand Oaks, 11:30 am
- April 8-9 CAI-CLAC Legislative Days at the Capitol
- April 12 Central Coast Dinner Program, Ventana Grill, Pismo Beach, 5:45 pm
- **April 19 Santa Barbara Luncheon**, Centric Hyatt, Santa Barbara, 11:30 am
- **April 24 Community Faire** (Expo & Educational Programs), The Embassy Suites, Oxnard
- May 9-11 CAI Annual Conference in Washington D.C.
- May 22 Chapter Luncheon at The Courtyard Marriott, Oxnard, 11:30 am
- **Dinner Program**, Courtyard Marriott, Oxnard, 6 pm June 5
- June 7 Central Coast Dinner Program, Ventana Grill, Pismo Beach, 5:45 pm
- June 19 Chapter Luncheon, The Courtyard Marriott, Oxnard, 11:30 am
- July 31 Managers' Program, The Courtyard Marriott, Oxnard, 11:30 am
- Aug 9 **Dinner Program**, Los Robles Greens, Thousand Oaks, 6 pm
- Aug 28 **Chapter Luncheon,** The Courtyard Marriott, Oxnard, 11:30 am
- Sept 13 Central Coast Dinner Program, Ventana Grill, Pismo Beach, CA, 6 pm
- Sept 25 Chapter Luncheon, Los Robles Greens, Thousand Oaks, 11:30 am (Annual Meeting at 11 am)
- CID Law Course / BP Essentials Course / CLAC Dinner, Oct 18 Pechanga, Temecula, CA (pre-Legal Forum Activities)
- Oct 19 CAI Statewide Legal Forum, Pechanga, Temecula, CA
- **Community Faire**, The Westlake Village Inn, Oct 30 Westlake Village, CA
- Nov 8 Central Coast Dinner Program, Ventana Grill, Pismo Beach, CA, 6 pm
- Nov 13 Chapter Luncheon, Los Robles Greens, Thousand Oaks, 11:30 am
- Dec 11 **Chapter Luncheon**, Los Robles Greens, Thousand Oaks, 11:30 am

Please Note: Event dates, times and locations are subject to change. Please check the chapter website: cai-channelislands.org for the most current information

Chapter Announcements

Congratulations to Ms. Chelsi Rueter of Community **Property** Management for earning the prestigious PCAM credential. The PCAM, Professional Community Association Manager credential is the highest



professional recognition available nationwide to managers who specialize in community association management. Earning the PCAM is joining an elite group of managers who demonstrate advance skills and knowledge in the industry. Congratulations Chelsi!



Jasmine Hale Esq. was accepted into The College of Community **Association Lawyers** (CCAL) by the National Organization of CAI. The College of Community Association Lawyers includes lawyers who have demonstrated skill, experience and high standards of professional

and ethical conduct in the practice of community association law, and who are dedicated to excellence in the specialized practice of community association law. Congratulations, Jasmine!

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Ventana Grill, Pismo Beach

Santa Barbara Luncheon Program THURSDAY, APRIL 19, 2018 11:30 am

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For Quick Board Meetings By Donald Martin, CCAM The Management Trust - Central California

ne common complaint I hear from Board members is about the length of their meetings. Meetings that should only take an hour end up taking two or more. Afterward Board members are left scratching their heads wondering where the time went. A typical meeting should never take longer than one or two hours maximum. Some people might be surprised by this and believe that quick meetings will lead to rash decisions. Having short meetings does not mean that poor decisions are going to be made. As long as the Board is efficient with their time and trims out unnecessary discussions they will find that the decisions that are made are just as good of quality if not better than before. If you are having a problem with lengthy meet-

but did not ask their manager until the meeting. A simple phone call to your manager a few days before the meeting should allow them to get the needed information.

Work on a Solution

After reviewing all of the information Board members should consider solutions to the issues and problems they are facing prior to the meeting. While the Open Meeting Act prohibits a majority of the Board from having discussions and making decisions outside of a meeting it does not prohibit one on one conversations with your counterparts. You should try and run ideas by other directors and see what the pulse of the Board is.



Acknowledgment of the Problem

The first step to quicker Board meetings is to have the directors acknowledge the problem. Awareness is half the battle. They should discuss this issue and agree to work together on a plan to resolve it. The president should be the person delegated to be in charge of making sure that the Board follows through with their plan.

Preparation

This is one of the most important steps that Board members can take in cutting meeting times down. Board members should take the time to review their meeting packets (i.e. manager's report, bids etc...) prior to the meeting. They should thoroughly understand the issues at hand and ask their managers any questions prior to the meeting. I have seen many occasions where decisions get put off to the next meeting because Board members wanted further information

Keep Focused

Most meetings run long because Boards tend to get sidetracked on other issues and don't stay focused on the task at hand. This can happen either because Board members or owners in the audience bring up unrelated matters. The Board president should be the one designated to make sure that this does not happen. Discussions should be limited to the item being voted on. Owners in the audience should not speak during the meeting unless they have relevant information on the topic being discussed and only if the president agrees to hear from them.

Stick to the Agenda

Unless there is an urgent new problem, Boards should also stick to their agenda. New topics brought up at the meeting can slow things down. Board members may not be prepared for the new topic and they may have many questions that cannot be answered until further research is done. State

law, with limited exceptions, also prohibits items from being discussed at a meeting unless it was placed in advance on the agenda. Board members wanting to discuss new topics should ask that it be placed on the next meeting's agenda.

Limit Discussions

I have seen many meetings where the same arguments in favor or against a position are made repeatedly on divisive issues. The Board president should keep a tight reign on this as well. Each side should be allowed to state their position with some possible clarification and rebuttal and then take a vote. Some Boards have found setting a time limit for discussion very useful.

Decisions Don't Need to Be Unanimous

Some Boards run into the problem of wanting all of their decisions to be unanimous. This can lead to some fairly lengthy discussions. They either don't want to hurt other Board members feelings or just feel compelled to try and talk them into the majority's position. Decisions don't need to be unanimous. Having differences of opinion in a community is natural and healthy. Each side should be respectful of other Board members thoughts and should not use undue pressure to try and get them to change their mind. The group in the minority should be allowed to state their position, record it in the minutes, take a vote and move on to the next issue.

Open Forum

The Open Meeting Act allows owners to speak to the Board at any open meeting. It is important to ensure a balance



is achieved between allowing adequate owner input and not having the open forum consume too much time. The Board should set reasonable time limits for owner comments. Three minutes is a common timeframe and should allow an owner to fully express any concerns they have. There is no requirement for the Board to respond to or get into a debate with any owner. If a disruptive owner wants to engage in a disruptive discussion just allow them their 3 minutes and politely thank them for their comments and move on to the next owner. Finally, don't allow owner comments throughout the meeting. Set the open forum either at the beginning or end of the meeting. If an owner has relevant information for a specific agenda item the Board may allow that one owner to speak to the Board. Otherwise politely tell the owners that they are limited to addressing the Board only during the open forum portion of the meeting. Remember, this is a Board meeting not a member meeting.

Hopefully by working together and following the suggestions above you can limit your meetings to less than an hour and 'catch yourself' when you start to go down the wrong path. A



Donald Martin is the Director of Community Management for The Management Trust-Central California with offices in Santa Barbara, Bakersfield and multiple offices throughout San Luis Obispo County. Donald has been a community association manager for over 15 years and is certified through CACM, holding the CCAM designation. Donald Martin along with

their company is an active CAI member and Donald serves as the committee chair for the Chapter's central coast programs.



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Schedule of Events

March 27

Chapter Luncheon
"Preparing For Small Claims Court"
Los Robles Greens, Thousand Oaks

April 12

Central Coast Dinner Program "Almost Free Legal Advice" Ventana Grill, Pismo Beach

April 19

Santa Barbara Luncheon "Almost Free Legal Advice" Hyatt Centric, Santa Barbara

April 24

Community Faire & Educational Programs

The Embassy Suites, Oxnard, CA

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