

14-May-2024

University Park HOA – Bylaws Committee meeting

Prepared by Janelle Lirette as Committee Secretary

Attendees:

Judy Walton
Janet Butts
Linda Sauer
Chuck Graham
Manny Navarro
Kathy Dolan
Janelle Lirette

Location of Meeting:

Janet Butts home

Time Started / Ended:

6:30 pm to 8:30pm

Summary:

The committee reviewed/approved Bylaws sections Recitals, sections 1, 2, and part of section 3. Consensus with stated minor additions/changes are outlined below.

Minutes

1. Brief feedback from everyone on their thoughts of the draft of bylaws as provided by Altitude Law.
2. Handout provided to the committee with slight revision suggestions from Chuck covering Bylaws 1-3.
3. Chuck led the committee through the details of each bylaw along with his suggested (minor) revisions.

a. Recitals –

- i. Remove the 2 “existing” references in 1 and 2. Replace “currently in effect” with “adopted December 31 1997” in 1.

The committee reached consensus with this section with the slight revisions as stated above.

b. Article 1 – Introduction, Purposes, and Definitions

- i. 1.1 Introduction – add “(CC&Rs) before “and Easements”.

The committee reached consensus with section 1.1 with the slight revision as stated above.

- ii. 1.2 – Chuck informed the committee that there are three “Statements of Purposes” that exist today – the Declaration, the Bylaws, and the Articles of Incorporation. Question: should these all match? After some discussion Chuck suggested that we add another bullet section to this Article to be “f” to read – “to include other purposes as stated in the Declaration and Articles of Incorporation”.

The committee reached consensus with the suggestions to add this new bullet to section 1.2.

- iii. 1.3 Definitions – Judy asked whether the ‘non-profit act’ should be included in this section however we agreed not to do so.

The committee reached consensus with section 1.3 as written by Altitude Law.

c. Article 2 – Membership and Voting

- i. 2.1 – We had some discussion about whether we should define “fractional and cumulative” however the committee agreed not to add this information.

The committee reached consensus with 2.1 as written by Altitude Law.

- ii. 2.2 – Suspension of Voting Rights and Use Rights – minor additions as suggested by Chuck include adding “default meaning more than 30 days past due” and “of published rules and regulations of the Association”.

The committee reached consensus with section 2.2 with Chuck’s suggested additions as stated above.

- iii. 2.3 – Member Voting – section (a) was deferred until we review section 3.9 in next meeting.

The committee reached consensus with sections b, c, d, e, f as written by Altitude Law. (Section a is deferred)

- iv. 2.4 – Transfer of Membership -

The committee reached consensus with section 2.4 as written by Altitude Law.

d. Article 3 – Meetings of Members

- i. 3.1 – Annual Meetings – lively discussion around the meaning of ‘properly’. Also, discussion around the fiscal year vs. calendar. No changes after discussions completed.

The committee reached consensus with section 3.1 as written by Altitude Law.

- ii. 3.2 – Budget Meetings – the committee came up with suggestions for the Board to be handled separately outside of this section.

The committee reached consensus with section 3.2 as written by Altitude Law.

- iii. 3.3 – Special Meetings – we had some discussion around the wording ‘form of notice...’. Discussion about raising the percentage from 5% to 10% also ensued however in the end we all agreed that 10% was a reasonable number as this is also defined in CCIOA section 38-33.3-308.

The committee reached consensus with section 3.3 to include the wording “as specified in section 3.4” after “The form of notice...”

- iv. 3.4 Notice of Meetings – We moved the last two sentences from paragraph 2 to the end of paragraph 1.

The committee reached consensus with section 3.4 as modified to include the text stated above.

- 4. Separate recommendations for the Board to consider:
 - a. Our community website could really use updates to allow it to be more intuitive, easier to navigate and find information (ex: landscaping guidelines, policies and procedures, paint colors for subdivisions, etc.).
 - b. Define the meaning/limitations of “proxy”
 - c. Add some education about the HOA procedure for budget meetings and rights of members. How can members ‘veto’ the budget?