

> On Apr 24, 2021, at 5:27 PM, Michael Ahrens <[MIKEAHRENS5@gmail.com](mailto:MIKEAHRENS5@gmail.com)> wrote:

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>> Hedda:

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>> Thank you for your comments on the amended bylaws to Pauline, one of our board members. And, I also want to thank you for your many constructive comments at the CAC meetings. I noted to the board that you were a frequent visitor to the CAC meetings, as well as many public meetings relating to the Balboa project.

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>> In this letter, which I have addressed to Pauline, I will attempt to address your comments. I have asked her to deliver it to you. If you still wish to join our board meeting next Thursday, April 29, we start the Zoom call at 7pm. I appreciate that you do not have a computer or a cell. And, Zoom does not provide us with a toll free number. So, please call in at 7PM, and we will place you first on the agenda to discuss your comments if you would like to discuss them. The number that Zoom gives us is a San Jose number:

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>> 1 669 900 6833. number

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>> 849 1813 1035- ID

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>> 415 205 - Passcode.

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>> Here is my response to your comments:

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>> Page 4, paragraph 3.9: This paragraph provides that the quorum requirement for voting on all matters other than an increase of member assessments is 15%. For an increase of assessments the requirement for a quorum is 50%. You ask "are you voting on it retroactively.". This paragraph only has to do with the quorum requirement and not about retroactive assessments. I can tell you that it would be difficult or impossible to have a member meeting where 50% attend. That would require over 330 members to attend. In the past few years the board of directors has increased the dues and that does not require members approval. Under the Davis Sterling Act there is a limit on the percentage that we can increase the dues and we have always been below that limit. And, it has not been retroactive.

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>> Page 9, entitled enactment of rules, paragraph (i) It allows the Board to enact rules regarding many things including "the use, occupancy and maintenance of the Development...". You suggest we eliminate the word "occupancy.". We have design guidelines that impact the development and are important under the CC&R's that bind all of us. (Covenants, conditions and restrictions.). The Board feels that this language, which was approved by our counsel, and is quite standard, is needed to support actions we may have to take to preserve the nature of the neighborhood and the CC&R's.

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>> Page 9, entitled enactment of rules, paragraph (iii) allows the board to enact rules regard to "the conduct of persons within the Development...". You comment that we should "let the police do that."

>> We have the responsibility, among other things, to protect the common areas. That requires rules relating to not driving cars on the common areas, destroying the trees and lawns, etc. If we do not have those rules then it would be more difficult for the police to agree with us that the members or others are trespassing. We see this language as helpful for us to do our work.

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>> 9.10 allows the Board to appoint one or more assistant treasurers or assistant secretaries "who need not be Members of the Association..". You suggest that the word "Board" before "Members."

>> That is not a typo. It means Members, not board members. Here is what this means. The Board members have to be Members of the Association in good standing. But, in performing our duties we may want to use a secretary or accountant who is not a member that will, of course, report to the board. So, this gives us that authority.

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>> I hope this addresses your questions. If you want to give further comments, or discuss this response of the Board, please call in as discussed above.

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>> Mike Ahrens

>> President, Westwood Park Association

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>> Sent from my iPad