



DECISION PAPER

November 9, 2020

TITLE:

Proposed Tahoe Donner 2021 Election Rules

RECOMMENDATION:

By Motion:

The Board of Directors approves the new 2021 Election Rules to go out for 45-day member notice and comment period.

BACKGROUND:

The Association Election Rules have not been updated in several years. Following some issues arising during the 2020 Election summarized by the Elections Committee at the July regular board meeting, the board directed staff and the Elections Committee to work with corporate counsel to produce advised changes to the rules.

A 45-day member notification of the Board of Directors' consideration for action on rules is required under C&R Article III, Section 7.

ANALYSIS:

Thorough review of the Election Rules for Tahoe Donner Association occurred between July and October producing advised new set of Election Rules in lieu of the existing Election Rules last developed and adopted in 2015.

In accordance with TDA Covenants and Restrictions Article III, Section 7,

- (a) The Board may, from time to time and subject to the provisions of this Declaration, propose, enact and amend rules and regulations of general application to the Owners of Separate Interests within the Properties ("Association Rules").
- (b) "Association Rules may be adopted or amended from time to time by the Board...no Association Rule shall be adopted until the proposed rule or amendment thereof has been published to the Members at least 45 days prior to the date when the Board is scheduled to act of the proposal. "

The new proposed Election Rules are included with this decision paper as an attachment. If approved, the 45-day notice will be published as a separate direct mailer to members due to the early publication of the December Tahoe Donner News considering the inclusion of the 2021 Budget Report and its notice requirements.





If approved for 45-day member notification and comment period, the board and members can expect the following timeframe for review and consideration:

Key Dates:

- December 1-4, 2020: 45-Day Member Notification and Comment Period begins, dependent on notice mail date
- December 18, 2020: Board of Directors meeting; hears additional member comment, discussion item only
- January 22, 2021: Board of Directors meeting; action item to adopt the new Election rules

OUTREACH:

Anticipated member outreach through direct mailer, future Tahoe Donner News articles, email blast topics, and member comment period during the December board meeting.

FISCAL IMPACT:

Direct mailer expense is estimated between \$4,000-\$6,000, which is within publications budget parameter.

ALTERNATIVE:

The board of directors has several alternatives,

1. Maintain the current Election Rules;
2. Provide additional direction to staff and the committee on specific changes to the draft proposed Election rules and publish the 45-day notice with said changes following additional corporate counsel review;
3. Hold a special meeting to discuss and consider additional modification to the proposed Election Rules.

ATTACHMENTS:

- 1) Current Tahoe Donner Election Rules
- 2) New draft proposed Election Rules

Prepared by: *Robin Bennett*, Executive Project Manager/Asst. to GM 11/9/2020

Reviewed by: Annie Rosenfeld, Director of Risk Management and Real Property

Board Meeting Date: 11/20/2020

General Manager Approval to Place on the Agenda: _____

