

2021 TAHOE DONNER ELECTION RULES

March 12, 2021



RECOMMENDED ACTION

- By Motion:
 - Adopt the proposed Election Rules



ELECTION RULES: WHY CHANGE IS NEEDED?

- Comply with the Davis-Stirling Act, which mandates that the Association adopt very specific operating rules to guide elections.
 - Requirements significantly amended with the passage of SB 323
 - Civil Code Section 5100, et seq.
- The current documents that guide elections also do not clearly distinguish between what is a required and enforceable operating rule, and what is a guideline or best practice as it relates to an election.
 - 2020 election: claims were made that under the existing election rules and fair campaign guidelines the Board and/or the Elections Committee had a duty to investigate and take action relating to campaign advocacy that occurred outside of Association channels



HOW HAVE THE REVISED ELECTION RULES BEEN DEVELOPED?

- **2020 Election:** Work began as a response to the claims that arose during the election. The Elections Committee, the Inspector of Elections, legal counsel, and the Board have been actively working on needed reforms since that time.
- **July 2020:** post-election member survey to gather member feedback
- **August 2020:** the Board directed staff and the Elections Committee to work with counsel to revise and update the election related documents.
- Over the last several months the Elections Committee, legal, staff and interested stake holders and members have weighed in

KEY COMPONENTS OF ELECTION RULES

Part of the required Election Rules

1. Member Voting Generally
 - Who votes, Voter List, Ballots and Meetings, Quorum
2. Common Types of Votes Governed by Rules
 - Election of Directors, Assessment Decisions, Governing Document Amendments, Common Area Use, etc.
3. Campaigning
 - Equal Access to Association Media, Rules on Signage, Access to membership list, and access to Common Area for campaign related events.
4. Inspector of Election
 - Updates IOE selection and role to comply with DSA.



KEY COMPONENTS OF ELECTION RULES CONTINUED

5. Voting Procedures

- Timing, Appointment of Inspector, Nominations, Verification, Solicitations, Ballot Information, Mail-in Secret Ballots and Uncontested Elections

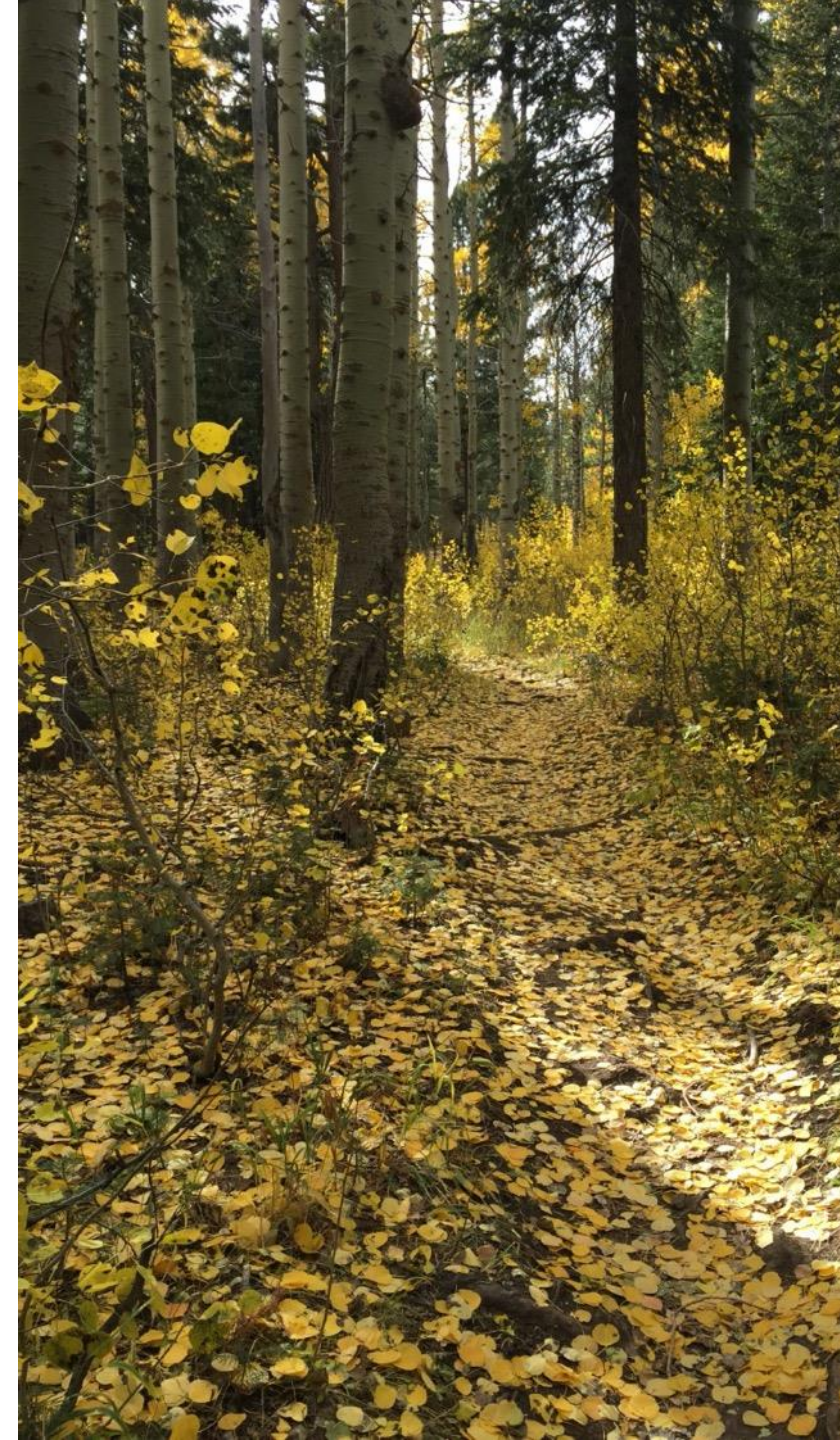
6. Ballot Tabulation & Announcement of Results

- Verification, supervision of counting, counting, and announcing results

7. Retention of Election Materials

- Who keeps records and how to request for inspection/review

8. Defined Terms Section



QUESTIONS

