



STAFF REPORT

DATE April 15, 2024

TITLE:

Architectural Standards Committee Charter

RECOMMENDATION:

By Motion:

The Board of Directors approves the Architectural Standards Committee Charter as proposed in Exhibit A.

BACKGROUND

The Board adopted a major update to the Committee Policy Resolution, Resolution 2021-5. At the same time, the Board commented that the association committees all had varying templates for their charters and they desired conformity for consistency.

Starting in the summer of 2021, several committees updated their charters and moved to the new charter template including the Trails and Open Space Committee and the Finance Committee. The Long Range Planning Committee, formally known as the General Plan Committee, was next to reform and update its charter. Following these committees, the Board approved the Covenants Committee's charter update in August 2022.

The Architectural Standards Committee (ASC) does not have a charter as it is a committee appointed and constituted by the Tahoe Donner Covenants and Restrictions. There has been additional delegation of authority by the Board of Directors to the ASC in administrative policy resolutions over the last 30 years. Therefore, developing the Architectural Standards Committee charter made sense and was identified as a deliverable in the 2023 TDA Work Plan Goal 5 and Architectural Standards Committee 2023 task list item.

The ASC has supported and collaborated with staff in drafting the proposed charter, and is requesting the board of directors consider approving the proposed Architectural Standards Committee Charter.

ANALYSIS:

The ASC met on the draft proposed charter in their regular meetings on July 26, 2023, November 8, 2023, and November 15, 2023, to develop and finalize a proposed charter. The ASC voted to support the draft and refer the proposed charter to the board of directors for review and approval. Additional review by staff and legal counsel was completed in the first quarter of 2024.

The draft charter complies with Tahoe Donner Restated Covenants and Restrictions (C&Rs) and is consistent with Resolution 2021-5 Committee Policy. The fundamental purpose, requirements, and responsibilities of the committee are outlined in the proposed draft.





Association committees can be created and designated by the Board of Directors under Article 1, Section 5 of the Restated Bylaws. The ASC and Elections Committee are unique in that they are committees appointed and constituted by the Governing Documents.

The ASC (formerly Environmental Control Committee, Board of Directors name change February 15, 1997) is appointed and constituted pursuant to Article V of the C&Rs. Article V mandates ASC review of private property improvements, requirements for committee membership, duties of the committee, meeting requirements, ASC rules and basis for enforcement, as well as appeal procedures.

The proposed charter meets all of the requirements for committee membership, duties, meetings, and voting required by Article V, sections 2 through 4 of the C&Rs, as well as conforming with the requirements of the Restated Bylaws and Resolution 2021-5.

Staff would like to call attention to several items in the proposed ASC Charter which may differ from Resolution 2021-5, as follows:

- The draft allows for but does not require, a vice chair.
- The draft suggests committee member terms of 2 rather than 3 years, as provided for in Article V, Section 2 of the C&Rs, with no term limit restrictions.
- There is one proposed exemption from Resolution 2021-5 (“Absences unexcused by the Chair in excess of 25% of regular meetings within any consecutive 12-month period will trigger Board review”) in section K - Member Responsibilities. The reason for the exemption is due to the inclusion of alternates to the committee allowing for member absences.
- The draft does not address vacancies or quorums due to the unique nature of the committee’s regular and alternate membership

Along with this report, the ASC has provided a clean copy of the proposed charter.

FISCAL IMPACT

None

ALTERNATIVE:

The Board of Directors has several alternatives,

1. The Board may consider modifications to the proposed charter and approve said changes;
2. The Board may direct staff and the committee to consider the board of directors' comments/suggested modifications to the proposed charter.

ATTACHMENTS:

Exhibit A: Proposed Architectural Standards Committee Charter

Prepared By: Annie Rosenfeld, General Manager

Reviewed By: Rod Whitten, Architectural Standards Committee Chair

Board Meeting Date: April 26, 2024

