Section 2. - Sample Provision Excerpt (Public Preview)

ANNUAL MEETINGS

The annual meeting of the members shall be held at such hour and on such day during the month of July of each year as shall be detennined by the Board, and shall be scheduled to coincide with, or be held in conjunction with, the Annual Meeting of the Yosemite Lakes Owners Association (YLOA), to the extent reasonably practicable.

At such...

ISSUE #1

MARKUP #1 ->

MARKUP #1 · MISSING MANDATORY STATUTORY PROVISION

BOARD & COUNSEL REVIEW

Sec. 2. (p. 1): Election provisions omit mandatory Davis-Stirling secret ballot procedures and independent Inspector of Elections requirements under California Civil Code §§ 5105 - 5125.

Statutory / Legal Reference: Cal. Civ. Code §§ 5105, 5110 & 5115 (SB 323 / AB 2159)

Statutory Comparison: Under Cal. Civ. Code §§ 5105 and 5110, every association must adopt election operating rules and conduct specified elections through an independent third-party Inspector of Elections using secret double-envelope paper ballots (or compliant electronic secret ballots under AB 2159), with at least 30 days general notice of the nomination deadline and at least 30 days pre-ballot notice before ballots...

CURRENT WORDING IN DOCUMENT:

ANNUAL MEETINGS The annual meeting of the members shall be held at such hour and on such day during the month of July of each year as shall be detennined by the Board, and shall be scheduled to coincide with, or be held in conjunction with, the Annual Meeting of the Yosemite Lakes Owners Association (YLOA), to the extent reasonably practicable. At such...

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):

ANNUAL MEETINGS The annual meeting of the members shall be held at such hour and on such day during the month of July of each year as shall be detennined by the Board, and shall be scheduled to coincide with, or be held in conjunction with, the Annual Meeting of the Yosemite Lakes Owners Association (YLOA), to the extent reasonably practicable. At such meeting, the members shall: (1) elect by...