



**NELLIE GAIL RANCH OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING**

OPEN SESSION AGENDA

**TUESDAY, JANUARY 18, 2022
7:30 PM**

VIA ZOOM CONFERENCE CALL

Zoom Meeting Link

<https://us02web.zoom.us/j/89759556217?pwd=NVZ0MHFDVkxpMFhyOXZPVFBjYllVQT09>

Dial in #: 669 900 6833
Meeting ID: 897 5955 6217
Passcode: 741209

BOARD MEMBERS

**Mark Fisk
President**

**Joyce Taylor
Vice President**

**John Park
Co-Treasurer**

**Loree Blough
Co-Treasurer**

**Paul Holland
Secretary**

The Nellie Gail Ranch Owners Association welcomes you to this meeting. This agenda contains a brief general description of each item to be considered. The Board of Directors encourages your participation. Except as otherwise provided by law, no action shall be taken by the Board of Directors on any item not appearing in the agenda. When addressing the Board, please state your name for the record. Please address the Board as a whole through the Chair. Comments to individual Board Members, other Members attending the meeting or staff are not permitted. Speakers will be limited to three (3) minutes and must observe appropriate meeting decorum.

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the General Manager 72 hours prior to the meeting at (949) 425-1477

I. WELCOME AND CALL TO ORDER

II. HOMEOWNER FORUM (VIA ZOOM CONFERENCE CALL)

III. COMMITTEE APPOINTMENTS

A. CONSIDERATION OF APPOINTMENT OF ARCHITECTURAL REVIEW COMMITTEE MEMBERS

Proposed Resolution: To approve appointment of Nellie Gail Ranch Members to serve as Members of the Architectural Review Committee through January 31, 2023, subject to each member complying with the Committee Member Criteria standards adopted October 19, 2021 and signing the Community Leader Code of Conduct.

B. CONSIDERATION OF APPOINTMENT OF EMERGENCY PREPAREDNESS COMMITTEE MEMBERS

Proposed Resolution: To approve appointment of Nellie Gail Ranch Members to serve as Members of the Emergency Preparedness Committee through January 31, 2023, subject to each member complying with the Committee Member Criteria standards adopted October 19, 2021 and signing the Community Leader Code of Conduct.

C. CONSIDERATION OF APPOINTMENT OF EQUESTRIAN COMMITTEE MEMBERS

Proposed Resolution: To approve appointment of Nellie Gail Ranch Members to serve as Members of the Equestrian Committee through January 31, 2023, subject to each member complying with the Committee Member Criteria standards adopted October 19, 2021 and signing the Community Leader Code of Conduct.

D. CONSIDERATION OF APPOINTMENT OF EVENTS COMMITTEE MEMBERS

Proposed Resolution: To approve appointment of Nellie Gail Ranch Members to serve as Members of the Events Committee through January 31, 2023, subject to each member complying with the Committee Member Criteria standards adopted October 19, 2021 and signing the Community Leader Code of Conduct.

E. CONSIDERATION OF APPOINTMENT OF LANDSCAPE COMMITTEE MEMBERS

Proposed Resolution: To approve appointment of Nellie Gail Ranch Members to

serve as Members of the Landscape Committee through January 31, 2023, subject to each member complying with the Committee Member Criteria standards adopted October 19, 2021 and signing the Community Leader Code of Conduct.

F. CONSIDERATION OF APPOINTMENT OF SECURITY COMMITTEE MEMBERS

Proposed Resolution: To approve appointment of Nellie Gail Ranch Members to serve as Members of the Security Committee through January 31, 2023, subject to each member complying with the Committee Member Criteria standards adopted October 19, 2021 and signing the Community Leader Code of Conduct.

G. CONSIDERATION OF APPOINTMENT OF TRAILS & SAFETY COMMITTEE MEMBERS

Proposed Resolution: To approve appointment of Nellie Gail Ranch Members to serve as Members of the Trails & Safety Committee through January 31, 2023, subject to each member complying with the Committee Member Criteria standards adopted October 19, 2021 and signing the Community Leader Code of Conduct.

IV. EXECUTIVE SESSION REPORT

Report on Executive Session Meeting of November 16, 2021 and Executive Session mediation meeting of December 14, 2021.

V. CONSENT CALENDAR

Proposed Consent Calendar Resolution: To approve Consent Calendar resolutions for agenda items V-A through V-F.

A. CONSIDERATION OF APPROVAL OF NOVEMBER 16, 2021 OPEN SESSION MINUTES

Proposed Resolution: To approve the Open Session Minutes dated November 16, 2021 as presented. *(All Directors were in attendance)*

B. CONSIDERATION OF APPROVAL OF THE OCTOBER 31, 2021 FINANCIAL STATEMENTS

Proposed Resolution: To approve the financial statements for the Nellie Gail Ranch Owners Association dated October 31, 2021, reflecting the following:

The Consolidated Balance Sheet reflects \$3,476,795 in reserve funds, \$1,976,360 in operating funds, \$8,400 in Petty Cash, and \$638,613 in Stall, Trail and Architectural Deposits for a total cash balance of \$6,100,167.

Year to date Assessment Revenue totals \$642,191 compared to the budgeted \$682,944.

Year to date Total Consolidated Revenue is \$781,088 to the budgeted \$824,653.

The Consolidated Net Increase for the **month** prior to adjustments for depreciation is \$399,707 compared to the budgeted increase of \$377,670. Consolidated Net Income **year to date** prior to adjustments for depreciation is \$399,707 compared to the budgeted increase of \$377,670. Year to date reserve funding is \$127,316 compared to a budget of \$117,752. The variance is reserve interest income.

C. CONSIDERATION OF APPROVAL OF THE NOVEMBER 30, 2021 FINANCIAL STATEMENTS

Proposed Resolution: To approve the year-end financial statements for the Nellie Gail Ranch Owners Association dated November 30, 2021 reflecting the following:

The Consolidated Balance Sheet reflects \$3,476,874 in reserve funds, \$1,843,330 in operating funds, \$8,400 in Petty Cash, and \$622,790 in Stall, Trail and Architectural Deposits for a total cash balance of \$5,951,394.

Year to date Assessment Revenue totals \$710,304 compared to the budgeted \$682,944.

Year to date Total Consolidated Revenue is \$999,561 compared to the budgeted \$966,362.

The Consolidated Net decrease for the **month** prior to adjustments for depreciation is (\$53,102) compared to the budgeted decrease of (\$171,741). Consolidated Net Income **year to date** prior to adjustments for depreciation is \$346,605 compared to the budgeted of \$205,929. Year to date reserve funding is \$127,395 compared to a budget of \$117,752. The variance is reserve interest income.

D. CONSIDERATION OF APPROVAL TO RECORD LIENS

Proposed Resolution:

To authorize and instruct Management to record a lien on the following delinquent accounts should their assessments not be paid within the time period established in the Intent to Lien Letter. In accordance with the Corporation's Assessment Collection Policy, a letter was sent to the homeowners notifying them that they have 30 days to pay the balance owed or a lien will be placed on their property. Therefore, the Board directs Management to lien the account listed below should the delinquent assessments not be paid within the time period established in the Intent to Lien Letter:

01/07/22	0176-01	\$956.40
01/07/22	0562-02	\$956.40
01/07/22	0820-01	\$756.40
01/07/22	0985-03	\$956.40
01/07/22	1037-01	\$956.40

Delinquency Statistics for the Open Session Minutes:

- There are (2) two past owner delinquencies with an assessment balance of \$485.40.
- One hundred fifty-four (54) current owner past due delinquencies total \$48,651 in assessments and \$4,660 in assessment judgments.
- The collection attorney is currently working on nine (9) past and current homeowner accounts to collect on judgments and/or past due assessment balances.
- Total accumulated outstanding assessments total 1.9% of the annual assessment budget.

E. CONSIDERATION OF APPROVAL OF 2020-21 YEAR END AUDIT AND MAILING

Proposed Resolution: To approve the September 30, 2021 year-end annual audited financial statements for distribution to the Membership,

and,

To approve mailing through Innovative Printing Solutions at an amount not to exceed \$2,500, inclusive of postage to print and mail the Annual Audit and associated documents on CD ROM to the membership by January 31, 2022.

F. CONSIDERATION OF APPROVAL OF 2020 TAX RETURNS FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2021

Proposed Resolution: To approve the 2020 tax returns for the fiscal year ended September 30, 2021.

End of Consent Calendar

VI. OLD BUSINESS (NONE)

VII. NEW BUSINESS

A. CONSIDERATION OF APPROVAL TO SUBMIT PROPOSED REVISIONS TO ELECTION RULES TO THE MEMBERSHIP FOR REVIEW PRIOR TO ADOPTION AT THE MARCH 15, 2022 MEETING

Proposed Resolution: To approve submitting proposed Election Rules revisions to the Nellie Gail Ranch Membership for review and comment in order to comply with new Civil Code effective January 1, 2022. The proposed revisions will be considered for adoption at the March 15, 2022 meeting subject to consideration of membership comments.

B. CONSIDERATION OF SCHEDULING THE 2022 ANNUAL MEETING OF THE MEMBERSHIP / BOARD OF DIRECTORS ELECTION

Proposed Resolution: To approve Wednesday, June 1, 2022 at 6:30 p.m. as the date and time of the Annual Meeting of the Membership / Board of Directors Election and, as may be needed, Wednesday, June 8, 2022, at 6:30 p.m. as the Reconvened Meeting date and time.

C. CONSIDERATION OF APPOINTMENT OF INSPECTOR OF ELECTION AND APPROVAL OF INSTRUCTIONS TO INSPECTOR

Proposed Action: To approve appointment of The Ballot Box as Inspector of Election for the June 1, 2022 Annual Meeting and Election of Directors and subsequent June 8, 2022 reconvened meeting as may be scheduled, and to approve the Instructions to Inspector or Election.

and,

To approve the deadline date of no later than April 30, 2022 for the ballot mailing.

and,

To confirm ballot return postage will be paid by the Association at a cost of \$0.69 per returned ballot.

D. REVIEW OF SURVEY RESULTS FOR PROPOSED SPEED TABLE ON NELLIE GAIL ROAD

Proposed Action: Review survey results.

E. CONSIDERATION OF BAR AND KITCHEN BUDGET PARAMETERS

Proposed Action: Review and discuss.

VIII. REPORTS

- Architectural Review
- Communications
- Community Events
- Emergency Preparedness
- Equestrian Center
- Equestrian Committee Meeting Recaps
- Landscape - Sunset
- Solar Energy
- Swim Center
- Tennis / Pickleball Center
- Trails / Common Area
- Traffic Commission Report

IX. CORRESPONDENCE

Action Required: To receive and file

X. NEXT MEETING

The next regularly scheduled Open Session Board of Directors meeting is February 15, 2022 at 7:30 p.m.

XI. ADJOURNMENT



**NELLIE GAIL RANCH OWNERS ASSOCIATION
BOARD OF DIRECTORS MEETING**

EXECUTIVE SESSION AGENDA

TUESDAY, JANUARY 18, 2022 - 6:00 PM

AGENDA

- I. CALL TO ORDER**
- II. CONSIDERATION OF APPROVAL OF EXECUTIVE SESSION MINUTES**
 - A. APPROVAL OF NOVEMBER 16, 2021 AND DECEMBER 14, 2021 EXECUTIVE SESSION MINUTES**
- III. EXECUTIVE SESSION LEGAL ITEMS / HOMEOWNER HEARINGS**
 - A. REVIEW OF THE JANUARY 2022 LEGAL REPORT**
 - B. CONSIDERATION OF APPROVAL OF AMENDED EASEMENTS FOR THE PURPOSE OF DOCUMENTING EASEMENT AREAS CONSISTENT WITH THE EXISTING TRAIL LAYOUT.**
- IV. OLD BUSINESS (NONE)**
- V. EXECUTIVE SESSION ACTION ITEMS**
 - A. CONSIDERATION OF APPROVAL OF CONTRACT FOR INSPECTOR OF ELECTION / BALLOT DISTRIBUTION FOR ANNUAL MEETING AND ELECTION**
 - B. CONSIDERATION OF REQUEST BY T-MOBILE FOR CELL SITE MODIFICATIONS**
 - C. CONSIDERATION OF PROPOSAL FROM AMS PAVING, INC. FOR ASPHALT PAVING TO EQUESTRIAN CENTER PATHWAY**
 - D. CONSIDERATION OF APPROVAL OF CLUBHOUSE BAR MANAGER NEW HIRE**

- VI. COLLECTIONS / DELINQUENCIES**
 - A. REVIEW OF COMMUNITY LEGAL ADVISORS COLLECTION REPORT AND FIRST SERVICE RESIDENTIAL DELINQUENCY REPORT**
- VII. VIOLATION REPORT**
 - A. REVIEW OF VIOLATION REPORT**
 - B. REVIEW OF CLOSED VIOLATION**
- VIII. DIRECTOR'S COMMENTS / DISCUSSION**
- IX. CORRESPONDENCE**
- X. NEXT MEETING FEBRUARY 15, 2022 AT 6:00 P.M.**
- XI. ADJOURNMENT TO OPEN SESSION**