

# WALNUT CREEK MUTUAL NO. FIFTY-NINE

## SPECIAL ASSESSMENT BALLOT COUNT MINUTES MONDAY, AUGUST 31, 2020 AT 1:30 P.M. ZOOM MEETING

### **Call to Order**

The Special Assessment Ballot Count Meeting was called to order at 1:30 p.m.

### **Special Assessment Ballot Vote**

A secret ballot in the matter of a Special Assessment in the amount of \$1,418.00 per manor was mailed on July 29, 2020 for a vote of the membership. Ballots were opened and tabulated by Inspector of Elections Casey Dixon.

For purposes of a special assessment, the approval requirement is set by statute rather than the governing documents. Regardless of anything to the contrary in an association's governing documents, special assessments are approved by a majority of a quorum of the membership. The Davis-Stirling Act defines a quorum to mean more than 50% of the owners of the Project. It then defines a majority of a quorum to mean the affirmative vote of a majority of the votes cast, which votes also constitute a majority of the required quorum.

### **The following is a report prepared by the Inspector of Elections:**

<b>Total Manors/Units:</b>	<b>108</b>
<b>Total Ballots Received:</b>	<b>92</b>
<b>Total Invalid Ballots:</b>	<b>1</b>
<b>Total Valid Ballots:</b>	<b>91</b>

<b>Total FOR:</b>	<b>80</b>
<b>Total AGAINST:</b>	<b>11</b>

**By majority vote, the Special Assessment of \$1,418.00 per manor passed. This amount will be payable in three payments. The first special assessment payment is due on October 8, 2020 in the amount of \$472.00. The second payment is due on November 8, 2020 in the amount of \$473.00. The third payment is due on December 8, 2020 in the amount of \$473.00. (Owners can make one lump sum payment, if they choose)**

**This election has been certified by Casey Dixon, Inspector of Elections for M59.**

### **Members Forum**

Members were afforded the opportunity to express their concerns and make comments.

### **Adjournment**

There being no further business, the Ballot Count Meeting was adjourned at 2:08 p.m.

### **Secretary's Certificate**

I hereby certify that the foregoing is a true and correct copy of the minutes of the Special Assessment Ballot Count Meeting.

WALNUT CREEK MUTUAL NO. FIFTY-NINE

*Kelly Maki*

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**Assistant Secretary**  
Mutual No. Fifty-Nine