



MAGEE RANCH

Homeowners Association

Board of Directors Meeting October 4, 2023

The meeting was called to order at 6:05 p.m. with Christopher Cross, Jim Losi, and Andy Rodgers in attendance. Stacey Lint from Homeowner Association Services was also present along with roughly 15 homeowners.

NEW BUSINESS

Emergency Assessment Resolution: The Board read a resolution regarding an emergency assessment in the amount of \$884,445. The resolution was passed unanimously.

Meeting Announcement: The Board announced a Town Hall meeting that will be held via Zoom on Monday, October 16 and a Meet and Greet opportunity on Wednesday, October 18.

HOMEOWNER COMMENTS

Homeowners brought comments about an SBA Loan, FEMA, total costs per homeowner of the emergency assessment, etc.

As there was no further business, the meeting was adjourned at 6:45 p.m. The next regular Board meeting will be held on November 1 beginning at 6:00 p.m. at the Management Office in San Ramon in conjunction with the Annual Meeting.

Accepted, _____ Secretary

Resolution:

The Board of Directors (“Board”) of the Magee Ranch Homeowners Association (“Association”) met on October 4, 2023 and voted to levy an emergency assessment in the aggregate amount of \$884,445 to pay for required repairs which exceeds the amount allocated in the Association's operating budget for this fiscal year.

WHEREAS, California Civil Code Sections 5610(b) and 5610(c) authorize the Board to levy an emergency assessment without a membership vote for “a[n] extraordinary expense necessary to repair or maintain the common interest development or any part of it for which the association is responsible where a threat to personal safety on the property is discovered” and/or “[a]n extraordinary expense necessary to repair or maintain the common interest development or any part of it for which the association is responsible that could not have been reasonably foreseen by the board in preparing and distributing the annual budget.”



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WHEREAS, pursuant to the CC&Rs the Association is required to maintain, repair, replace, and reconstruct all Common Area improvements;

WHEREAS, experts retained by the Association and the Magee Ranch GHAD have determined that repairs to hillsides on the Common Area for which the Association is responsible are necessary;

WHEREAS, the Association is therefore obligated to repair the hillsides on the Common Area which were damaged by last winter's storms;

WHEREAS, the experts retained by the Association have recommended that the required repairs be completed before the forthcoming winter season when rain is likely to cause further damage to the hillsides;

WHEREAS, the Board understands that certain repairs to the hillsides on the Common Area are necessary immediately to prevent a threat to personal safety;

WHEREAS, the required hillside repairs were also unanticipated and could not have been reasonably foreseen by the Board in preparing and distributing the annual budget for this year;

WHEREAS, the cost of all above necessary repairs is \$1,140,700 pursuant to the bids and estimates received by Association and Magee Ranch GHAD vendors;

WHEREAS, the Association does not have this amount available in its operating or reserve accounts;

WHEREAS, the Board has determined to use \$256,255 from the Association's GHAD reserve account;

WHEREAS, the amount needed to perform all necessary repairs is \$884,445;

WHEREAS, the unanticipated repair costs constitute an emergency situation within the meaning of the California Civil Code Sections 5610(b) and 5610(c).

NOW, THEREFORE BE IT RESOLVED that effective October 4, 2023, the Board has approved an emergency assessment pursuant to California Civil Code Section 5610(b) and 5610(c) in the amount of \$884,445. The emergency assessment shall be allocated equally in accordance with the Association's governing documents.

The membership will be noticed pursuant to California law immediately. All owners shall be required to pay their respective shares of this emergency assessment.