



**Board of Directors' Meeting Minutes**  
**February 4, 2020**  
**9:00 AM**

Board Member(s) Present:

- Jan Van Willigen, President
- Gavin Schutz, Vice President
- Paula Turner, Secretary
- Richard Moore, Director
- Carol Nolte, Director

Board Member(s) Absent:

- Bob Shipley, Treasurer

Also Present:

- Michael Walker, General Manager
- Kelly McGalliard, Operations Manager

**CALL TO ORDER**

The Board of Directors' Meeting was called to order by Jan Van Willigen at 9:00 AM in the PGA WEST Residential Association Main Meeting area. Mr. Van Willigen announced that Bob Shipley, Treasurer, was not present due to his current service as a jury alternate. Further Mr. Van Willigen informed the Board that Mr. Dale Lauer has resigned from the Board of Directors due to selling his PGA WEST Residential Association residence.

**MINUTES FOR PREVIOUS MEETINGS**

Gavin Schutz made a motion to waive and approve the reading of the minutes of the November 6, 2019 Board of Directors' Meeting, the November 6, 2019 Executive Session and the Special Executive Session of November 19, 2019. Seconded by Carol Nolte. Mr. Moore referenced the Executive Session minutes of October 10, 2019, which reflected that a letter from Gavin Schutz was requested to be made part of the Association record. Mr. Moore requested that if Mr. Schutz' letter was to be part of the Association record, that Mr. Moore's letter also be included in the official record. Discussion ensued; Mr. Schutz agreed to not have his letter included in the Executive Session minutes of October 10, 2019. Mr. Moore requested that the minutes be amended, deleting the inclusion of Mr. Schutz' October 10, 2019 letter. Carol Nolte amended Gavin Schutz' motion as follows: motion to approve the minutes of the Board of Directors' meeting, the Executive Session of November 6, 2019, the Special Executive Session of November

19, 2019 and to amend the October 10, 2019 Executive Session minutes as requested by Mr. Moore. Seconded by Jan Van Willigen; passed unanimously.

### **OPEN FORUM**

Homeowners present included Mark Gart, Liz Schutz, Darryl and Debra Snyder, Gary Dolenga, Sally Nilan, Rodney Zolt, Lauren White, Cheryl Long, Steve Price, Liz and Robert Waska, Kathryn Wanshura, Peter Broadbent, Kylie Grenier, Dean Rivale, Steve Parker, and Judy Albright. Mr. Gart expressed concern about possible exposure to hacking as a result of the Association including links on our e-mail blasts. Mr. Gart also commented about the flowers on the Palmer side noting that the Bighorn sheep are feasting on them. Finally, Mr. Gart inquired about each Board member's position on the Master Association ballot. Mr. Moore responded that the HOA will look into the hacking concern; he commented that until the Bighorn sheep barrier is installed the plant material, including flowers is in jeopardy of being consumed and that the Master Association ballot is not something that the Res I Board is taking a formal position on. Cheryl Long inquired about changing out her existing wooden, pivot garage door to a flat panel roll up door. She was advised to submit an Architectural Variance application to the Architectural Committee. Kylie Grenier stated that Pool 16A is clean and Pool 19A looks great! Mr. Moore thanked Mrs. Grenier for her positive feedback.

No additional homeowner comments were made during the Open Forum.

### **FINANCIAL**

Jan Van Willigen provided a financial report of the November 2019 financial statements, and accounts receivable.

- **Operating Fund Financial Statement as of November 19, 2019**
- **Accounts Receivable Summary as of January 15, 2020**
- **Authorization to Record a Delinquent Assessment Lien on Parcels 7751611016, 775131059, 775152053**
- **Monthly Financial Review** – In accordance with Civil Code §5500, Jan Van Willigen, President and Bob Shipley, BOD Treasurer, provided a report to the Board confirming that they reviewed the October and November 2019 operating accounts, reserve account, operating revenue and expenses, account statements, income and expense statements, check register, monthly general ledger and delinquent assessment receivable reports.
- **Reconstruction Fund Financial Statement as of November 19, 2019**
- Gavin Schutz made a motion to accept the Financial Statements as presented and to Authorize Recording Delinquent Assessment Liens on Parcels 7751611016, 775131059, 775152053. Seconded by Richard Moore; passed unanimously.

## **OLD BUSINESS**

**PGA WEST Combined Community Rules and Regulations – Revised Draft** – Steve Price, MA BOD Representative and Co-Chair of the Compliance Committee, expressed his support of the revised PGA WEST Combined Community Rules as presented. Jan Van Willigen made a motion to adopt the revised PGA WEST Combined Community Rules dated January 3, 2020, as presented. Seconded by Carol Nolte. Discussion ensued; Richard Moore explained his position that he is not in favor of including specific Rental Rules in the PGA WEST Combined Community Rules. Mr. Moore is in favor of the revised PGA WEST Combined Community Rules except for Section 7 (Rental Rules). Mr. Schutz stated that he is in favor of supporting the present draft ‘Rules’, with the understanding that they will be reviewed annually.

Mr. Van Willigen called for a vote on the pending motion. Jan Van Willigen, Gavin Schutz, Paula Turner and Carol Nolte voted in favor of approving the revised PGA WEST Combined Community Rules dated January 3, 2020. Richard Moore voted in opposition of revised PGA WEST Combined Community Rules dated January 3, 2020.

**Adopt Election Rules** – Following the 28-day member comment period, having received no comments regarding the proposed Election Rules, Gavin Schutz made a motion to adopt the Election Rules effective February 4, 2020. Seconded by Carol Nolte; passed unanimously.

**Summary of Proposals Machine Grind and Asphalt Overlay** – Mike Walker informed the Board that Management provided a Request for Proposal to four contractors to submit a sealed bid to machine grind and install asphalt overlay of 384,598 square feet at eight Association streets. Asphalt MDs declined to bid; Aggregate Products Inc. declined to bid; AMS Paving and International Paving Services Aggregate Products Inc. (IPSAPI) submitted proposals. The two sealed proposals were opened in the presence of Bob Shipley, Treasurer, Mike Walker, General Manager and Kelly McGalliard, Operations Manager. AMS Paving’s proposal reflects a cost of \$392,973 for the scope of work specified. IPSAPI’s proposal reflects a cost of \$497,913 for the scope of work specified. Management recommends approval of AMS’ proposal, with the stipulation that the proposal is valid through May 2020. Richard Moore made a motion to approve AMS’ proposal, with the stipulation that the proposal is valid through May 2020. Seconded by Gavin Schutz; passed unanimously.

**Spectrum Update** – Kelly McGalliard stated that the new Spectrum Contract, which includes bulk internet and cable went into effect on January 1, 2020. Thus far there have been minimal complaints from homeowners regarding the new services. If homeowners need assistance with the Spectrum or internet services provided via the Association’s bulk contract, they should call (833) 697-7328.

**Appoint Replacement Inspector of Election** – Dean Rivale was scheduled to serve as Inspector of Election in the forthcoming 2020 Board of Directors’ election; however, Mr. Rivale has decided to run as a candidate in the election. Consequently, it is necessary to appoint an alternate Inspector of Election to serve along with Kathryn Wanshura and Darryl Snyder. Gavin Schutz made a motion to appoint homeowner, Tom Gabelman to serve as Inspector of Election for the 2020 Board of Directors’ election. Seconded by Richard Moore; passed unanimously.

**BOD vote on Master Association Ballot for 55-051 Riviera** – The Association has a Master Association ballot that may be voted by the Board of Directors. Richard Moore made a motion to vote the Master Association ballot. Seconded by Carol Nolte. Richard Moore and Carol Nolte voted in favor of the Board casting the Master Association ballot; Jan Van Willigen, Gavin Schutz and Paula Turner voted in opposition to the Board casting the Master Association ballot.

## **NEW BUSINESS**

**Custom Homeowner Complaint Regarding Adjacent Neighbor Plantings** – The board reviewed a letter from a custom homeowner expressing their discontent with their adjacent neighbor's hedge. The Board consulted the Association's Conditions, Covenants and Restrictions, which refers this type of issue to the purview of the Architectural Review Committee. Therefore, the Board requested that Management ensure that the complaining homeowner's letter be forwarded to the Architectural Review Committee for their consideration.

**Committee Reports** – The Landscape report was provided by Paula Turner and Carol Nolte. They reported that 325 of the beds in between driveways that were formerly barren, were redone, with the addition of appropriate size plants, irrigation and rock. Additionally, they advised that there are 828 queen palms within the Association and when a queen palms dies, they will be not be replaced with another queen palm, rather with a planting more suitable for the desert environment.

Jan Van Willigen updated the Board on Architectural Review Committee projects, including the ongoing updating of colors and color placement. Currently the Committee is working with Vista Paint Colorists on new shades for the Champion units that will have both the stucco and trim painted in 2020.

Gavin Schutz provided Compliance Committee and Gate and Patrol reports. Mr. Schutz stated that at the January 14, 2020 the Compliance Committee Meeting considered 153 citations; of those 50% were from Res I 29% from Res II and 21% from Fairways. Mr. Schutz also advised that the Gate and Patrol Committee met with City of La Quinta, Fire and Police Departments following the Tournament.

Jan Van Willigen recapped the process of working with various agencies to formulate a plan to install a barrier to keep the big horn sheep in their natural habitat. Mr. Van Willigen apprised the board that the Coachella Valley Conservation Commission (CVCC) requested sealed bids from various fence construction contractors. CVCC is likely going to make a recommendation to their Board at their next meeting regarding contractor selection and construction may begin in spring after the lambing season; however, this schedule is subject to change dependent upon securing easement agreements.

Carol Nolte stated that the Association Newsletter will be distributed soon and that all owners should pay particular attention to the reference to the form that enables each owner to decide whether or not he or she wants to opt out of the Association sharing their contact information with other owners upon request. A new law went into effect on January 1, 2020, which makes it mandatory for the Association to share owners' contact information, unless the owner has Opted Out.

Steve Price, Master Association (MA) Representative gave an update regarding the MA ballot, stating that they have not yet obtained the requisite 50% plus one number of ballots. Mr. Price also stated that the traffic following the American Express Tournament concerts was extremely congested and that effort will be made next year to improve the flow of traffic.

**Appoint BOD Representative to the Master Association** – Bob Shipley resigned his position as the Res I Board Appointee to serve on the Master Association Board of Directors. Jan Van Willigen made a motion to appoint Gavin Schutz to serve as the Res I Board Appointee to serve on the Master Association Board of Directors. Seconded by Carol Nolte. Jan Van Willigen, Gavin Schutz, Paula Turner and Carol Nolte voted in favor of the appointment of Gavin Schutz to the Master Board; Richard Moore abstained.

As Master Board member, Gavin Schutz may not serve as Res I representative on the Compliance Committee; therefore, Gavin Schutz made a motion to appoint Carol Nolte to serve, in lieu of him, as the Res I Compliance Committee representative. Seconded by Paula Turner; passed unanimously.

**Res I BOD Member Resignation** – Jan Van Willigen announced that Dale Lauer, Director, sold his home in Res I; therefore, he resigned from the PGA WEST Residential Association Board of Directors, leaving a vacancy on the Board. Jan Van Willigen made a motion to add a 4<sup>th</sup> position to the ballot for the upcoming March 28, 2020 Board of Directors' election. Seconded by Gavin Schutz; passed unanimously.


**Correspondence** – October 9, 2019 letter from a concerned resident regarding overnight parking in a driveway on Shoal Creek. The Board requested that Management send out an e-blast reminding owners of the CC&R's Article VIII §9 that states “garages must be used to maximum capacity for parking.”

January 10, 2020 e-mail to the Master Association expressing a homeowner's dissatisfaction with the ticket distribution for the American Express Tournament. No action required; none taken.

**General Manager's Report** – Mike Walker provided an overview of his report, detailing the work order status, utility usage update, landscape, lake, pest and maintenance reports.

Gavin Schutz made a motion to adjourn at 11:30 AM. Seconded by Paula Turner; passed unanimously.

Respectfully submitted,



Paula Turner, Secretary  
PGA WEST Residential Association, Inc.  
Board of Directors

An Executive Session was conducted immediately preceding the Board Meeting to address contracts, legal matters and member discipline.