

Riviera West Country Club Election Rules

As a Common Interest Development [CID] we are governed by the Davis-Stirling Act. According to that Act, all associations are required to adopt election rules that comply with Civil Code 1363.03 to include the following:

- Nomination procedures,
- Candidate qualifications,
- A method of selecting independent third parties as inspectors of election,
- Rules regarding access to association media during campaigns,
- Rules regarding access to common area meeting space during campaigns,
- Secret balloting procedures, and
- A ballot form.

Nomination Procedures

60 days prior to the deadline to submit – April 30 of the election year, a call for candidates, a notice of the election procedure and the deadline for submission shall be delivered to all property owners via regular or electronic mail.

Candidate Qualifications

Qualifications for candidates are also the qualifications for the position that will be filled – that of Director on the Board of Directors, as follow:

- Membership in the Country Club;
- Good standing (current in the payment of all Assessments [both regular and special], not having any outstanding unpaid fines, and no unresolved violations of governing documents);
- Not in litigation with the Country Club;
- Not a co-owner with another Director;
- Attend a minimum of four meetings per year as a Director. By refusing to attend meetings, a Director is in breach of his or her fiduciary duties. Failure to attend meetings means the Treasurer's Report is missed, financial records are not reviewed, and there are no questions about finances – a further breach of fiduciary duties; and
- Not a convicted felon.

A Candidate's biography must accompany the application for candidacy in order to be considered a valid application and be entered onto the ballot.

Inspectors of Election

The Board of Directors will appoint volunteers to fill the Election Committee. Those volunteers will serve as Inspectors of the Election. 90 days prior to the annual meeting, two to three inspectors will be appointed who will receive and count the ballots. 30 days before ballots are distributed, a candidate registration list and a voter list shall be prepared.

Ballots

Ballots containing the names of validated nominees, along with each candidate's biography will be made available to all property owners no less than 30 days prior to the voting deadline of June 30 of the election year. Members may verify the accuracy of their individual information on the candidate registration list and voter list.

Election Schedule

Each year Riviera West establishes an election timeline as recommended by Davis/Stirling PLC. In accordance with the timeline, Riviera West members are notified of candidate nomination procedures, the deadline for receipt of nominations, the deadline for receipt of ballots, ballot-counting process and the process for verifying their personal contact information.

Election by Acclamation

Beginning January 1, 2022, California HOAs are permitted to declare the outcome of uncontested elections without the need for balloting. Qualified candidates can be elected by acclamation if the number of candidates is not more than the number of open Board vacancies. When these circumstances exist, Riviera West will utilize election by acclamation.