

SEABREEZE MANAGEMENT COMPANY

To: Rossmoor Park Owner's Association Membership

From: Rossmoor Park Board of Directors

Re: **2025 Election Rules**

Electronic Voting: As of January 1, 2025, California HOAs are authorized by Davis Stirling to use electronic voting for the election of directors. The first step an association must take to use electronic voting is to amend its election rules and allow a 28-day comment period for homeowners.

Rule changes, such as the adoption of electronic voting rules, can be approved by a vote of the board of directors after the 28-day notice and comment period to the membership.

These Electronic Voting Rules are intended to implement the provisions of [AB 2159](#) passed in 2024, which authorizes HOAs to use electronic voting.

- a. All members are deemed to have chosen to vote by **electronic ballot** unless they choose to vote by paper ballot and have notified the association in writing of their choice. A member's choice of voting method shall be valid until the member changes their voting method by written notice to the association in accordance with procedures adopted by the association.
- b. If you do not want to vote online and want to receive a paper ballot, please email Seabreeze Management and cc RossmoorParkBoard@Gmail.com.

Membership Voting Rights:

- 1) Cumulative voting is allowed for the election of directors. Each member may cast more than one vote for any candidate. However, they may not cast more votes than there are Board positions to be filled.
- 2) Persons may only be denied ballots if they are not a member at the time the ballots are distributed. A person holding a general power of attorney for a member is entitled to receive a ballot and to vote the ballot on behalf of the member.
- 3) An Election Committee consisting of a Chairman and 2 members will be selected every year to oversee the election, in compliance with the bylaws.
- 4) The members shall vote to fill all five or seven Board seats. To maintain staggered Board terms, the three candidates elected with the most votes shall serve two-year terms and the remaining two will serve one-year terms. However, the association must hold an election at least once every year.

5) Candidate Qualifications:

- a. Any person is automatically disqualified from a nomination if that person is not a member of the Association at the time of the nomination.
- b. A Candidate may be disqualified from nomination per Davis Stirling laws, although the Member has the right to first be provided with the opportunity to engage in an internal dispute resolution as defined in Civil Code Section 5900 et seq.

6.) Campaigns.

- c. Equal Access to Media. All Candidates are to be provided equal access to association media, newsletters, websites, mailing lists, and meeting space during a campaign, for purposes that are reasonably related to that election
- d. Association funds shall not be used for campaign purposes in connection with any Board election. Association funds shall not be used for campaign purposes in connection with any other type of vote except to the extent necessary to comply with duties of the Association imposed by law. "Campaign purposes" include, but are not limited to, expressly advocating the election or defeat or any candidate, or including the photograph or prominently featuring the name of any candidate on a communication from the Association or its Board, "

7) "Individual Delivery" means delivery by prepaid first-class mail, or by certified or registered mail, or by an overnight delivery service, or, if the member has consented in writing to that type of delivery, by email, fax, or

8) **Third Party Inspector:**

The inspector(s) may not be directors or candidates for election, but they may be members of the Association. The inspector(s) may not be the Association's manager, accountant, attorney, or any other person who is employed by the Association or otherwise under contract to provide services to the Association rather than serving as the inspector of the election.

9) **Election Procedures:**

- a. At least 30 days before the deadline for submitting a nomination, the Association shall provide General Delivery of the procedure and deadline for submitting a nomination. If any member asks for Individual Delivery of the procedure, the Association shall provide it
- b. **Candidate Registration List; Voter List.** The Association shall prepare election materials consisting of a candidate registration list containing the names of all candidates appearing on the ballot.
- c. **Voting Information.** At least 30 days before the ballots are distributed, the Association shall provide notice of the following by General Delivery, except Individual Delivery shall given notice to any member on request:
 - I. The due date and time for return of the ballots.
 - II. The physical address where ballots are to be returned by mail or handed to the inspector(s) of election; who shall make the corrections within two business days.
 - III. The date, time, and location of the meeting at which ballots will be counted.

10. Ballot Package. At least 30 days before the ballots are due, the inspector of election must deliver, or cause to be delivered, to each member the following documents by overnight delivery service or first-class U.S. mail:

11. Election Committee: Per Rossmoor Park bylaws Article V, Section 6, an Election Committee will be established to oversee the election. The candidates listed on mailers will be listed in order by a random name draw by the Election committee or reverse order a-z and z-a in the following year or by 1ST Name by choice of the Election Committee per the bylaws **Section 6 - Election Committee.**

Bylaws: Article V, Section 6: An Election Committee shall be appointed annually by the Board to make rules for and supervise nominations, voting procedures, voting requirements and the orderly and fair election of directors. The Election Committee shall consist of a Chairman, who shall be a member of the Board, and (2)

or more persons who shall be Members; provided, however, so long as any Class B memberships are outstanding the Board may appoint persons who are not Members to the Election Committee. The Election Committee shall make as many nominations for election to the Board as it shall in its discretion determine, but not less than the number of vacancies that are to be filled.