



NOTICE OF NOMINATING PROCEDURES
FOR PORTOLA ANNUAL DIRECTOR ELECTION TO BE HELD
ON MARCH 30, 2020

Posted General Delivery on December 20, 2019

There are two open board direction positions for the March 30, 2020 annual director election. Self-nomination forms are available through the Association's office. A sample of this self-nomination form is attached for your reference.

The Association's deadline to receive completed self-nomination forms is Wednesday, January 22, 2020, 4 pm.

The Candidate Qualifications as provided in the Election Rules approved 12/20/19, are as follows:

1) Only persons who are members of the Association may be a nominee for election. If title to a Lot is held by a legal entity that is not a natural person, the governing authority of that legal entity shall have the power to appoint a natural person to be a member for purposes of being a nominee for election to the Board.

2) No member may be a nominee if the member, if elected, would be serving on the Board at the same time as another member who holds a joint ownership interest in the same Lot and the other member is either properly nominated for the current election or an incumbent director.

3) No one who has been a member of the Association for less than one year may be a nominee.

4) No member may be a nominee if that member discloses, or if the Association is aware or becomes aware of, a past criminal conviction that would, if the member was elected, either prevent the Association from purchasing the fidelity bond coverage required by Civil Code section 5806 or terminate the Association's existing fidelity bond coverage.

5) A member who is more than forty-five (45) days delinquent in the payment of regular and special assessments (not including nonpayment of fines, fines renamed as assessments, collection charges, late charges, or costs levied by a third party) is not qualified to be a nominee. A member shall not be disqualified for failure to be current in payment of regular and special assessments if either of the following circumstances is true:

(a) The member has paid the regular or special assessment under protest pursuant to Civil Code section 5658.



(b) The member has entered into a payment plan pursuant to Civil Code section 5665.

6) Prior to disqualifying any member from being a nominee, the Association must offer the member an opportunity to engage in internal dispute resolution pursuant to Civil Code section 5900 et seq.

As stated above, disqualified candidates have a right to engage in Internal Dispute Resolution (“IDR”) with the Association, pursuant to Civil Code Section 5900, et. seq. If necessary, IDRs will be scheduled on January 23 and 24, 2020.

If you have any questions, please contact the Association’s office, 760-346-5481, or hoa@portolacc.com

On Behalf of the Portola Country Club Homeowners Association Board of Directors

Phyllis Harkins
General Manager

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