

# **La Concha Estates Owner Association, Inc.**

5334 Everhart Rd #200 Corpus Christi, TX 78411

## **Board of Directors Meeting January 22, 2025 7:00 p.m. via Zoom MINUTES**

**Call to Order** – Bobbi Erben, President @ 7:02 pm

**Establish quorum and list those present in minutes.**

**Board:** Bobbi Erben, Henry Bezanson, Steve Gatto, Mark Dulaney Rossy Strauss

**Members:** Melissa Kelly, Amy Rodriguez, Fred Curtiss

**Management:** Jason, Melanie and Brittney

**Minutes –**

November 13, 2024

Minor edits, Motion by Mark to approve minutes with edits, all approved.

**Financials** – Steve Gatto and Melanie Beaber, accounting 2024 EOY Financials

Only one owner has not paid 2024 annual dues. This new owner has been mailed, and Title Company contacted to track Owner's for a possible new address, but Melaine has not received anything from Owner or Title company to date. Several owners have not paid the 2024 mowing fees.

Question as to why the water was at -\$125.16, this is because the HOA disputed the water bills as the HOA does not have water services. The city gave the HOA a refund of \$125.16. Mgmt. disputed the storm water bill and it was reduced to \$7.74 from \$15.47.

Motion by Steve to approve the 2024 financials, second by Bobbi, all approved.

Landscape/mowing proposals and Budget for 2025- mowing changes

Motion by Rossy to table executive session, second by Bobbi, all approved.

### **Management Items**

Communication process in the HOA and updates from Management to the Board

Rossy stated as she is new to the Board, she is not sure how communication works between Mgmt. and the Board. Bobbi stated the emailed group includes all Board members and Mgmt, she stated Melanie will call or text her if she hasn't received a response.

Rossy stated she would request emails from Mgmt. is sent to all Board members, so everyone knows what's going on. Rossy also stated she would like some sort of reporting mechanism for Mgmt. to letting the Board now how has called them, who have they contacted, what the issues have been, and she would like to see that on time sensitive moments, not to wait for the monthly meeting.

Bobbi asked if there was a specific item, Rossy replied there has been a few emails she has sent that have not been answered and she is concerned about it.

Bobbi believes the items Rossy is speaking of were request sent to Mgmt. back in December and Mgmt. had a lot going on with the ballots and holidays and they have been addressed.

Melanie (Mgmt.) stated she believes it's the emails send to Mgmt. from Board members requesting an action be taken.

Melanie explained that action items require three Board members to agree on said action and no other Board members had replied to the request action item.

Bobbi suggested to Rossy if she has sent an email requesting an action be taken, to individually call or text the other Board members asking them to respond.

## **ACA updates:**

Reviews and ongoing construction in the neighborhood- Fred,

The ACA has approved the build at 146 Bikini Dr. on December 11, the fence at 114 China Beach on December 19 and the hurricane doors at 7550 La Concha on January 15.

Henry asked about the fees for the ACA reviews, if the HOA will have different fees for modifications to homes like landscape reviews, pools, new doors, etc., how will this be handled?

Bobbi replied ACA should be notified for all modifications and currently there are no fees for modifications, only for new construction. Fred verified the governing documents require ACA approval for all modifications and defining what are a major and minor modifications.

Motion by Bobbi that the official policy for ACA reviews of new builds have a fee but modifications have no fees since the modifications are considered minor and done by a volunteer committee, seconded by Henry, all approved.

## **Old Business**

Proposal for restoration of China Beach boardwalk. (Mark Dulaney)

Rossy asked if the GLO and County permits are in place. Mark responded permits are in place from both.

Rossy noted no permit cost is shown in the financials, what is the cost? Mark mentioned Christina with Nueces County has not asked for permit fees.

Mark reported Shanklins will be out tomorrow to look at it. Hopefully should be fixed within the next two weeks. No cost will have been incurred for the permit.

Mark would like to see the dunes restored and vegetation added seaward to where the mile markers are, tractors are not the best way to do this as they can cause more harm than good.

Mark would like to invite owners to next meeting with The Beach Front Management Advisory Committee to ask that the tractors are not used because they are damaging the vegetation.

Rossy mentioned the GLO said they do not fund the restoration of dunes owned by LCEHOA.

New HOA web portal - (Rossy Farina-Strauss)

Almost finished, the financial page will be password protected. The website is live, but not all documents have been uploaded.

Mgmt, to send out notice that the website is up but will continue to send email notices of meeting announcements and other needed information.

Mgmt. to send directory of owners that have agreed to be on the distribution list per the Owner Information form.

LED light purchase for La Concha Estates sign

Jason was scheduled to meet with Mark's electrician next week.

Bobbi then stated a handyman could be used since they are simple LED lights, Jason said a handyman could have it done by the end of the week.

## **New Business**

Short Term Rentals (STR) ballot results and By-laws, Covenants and Late Fee Policy.

### **Results:**

88 Ballots received

Only 10 ballots not returned.

### **30 (thirty) consecutive days:**

44 For

44 Against

### **Definitions- Single-Family Residential Purposes**

46 For

42 Against

Mgmt. insisted on a long turnaround period to have the ballots returned, to give Mgmt. and owners time to reply. We are the new Mgmt. company and the emails being sent may be in owners "spam" folders or just do not know who we are. Mgmt. wanted time to send the introduction letter, statements and ballots. Over the period of six weeks, Mgmt. sent emails weekly and made calls to please return the ballots, spent many hours on the phone with owners explaining the ballot and the importance of said ballot. We received two late ballots that were not added to the results.

With this said, the La Concha Estates governing documents will remain as they are without restrictions regarding short term rentals since a 67% vote was not achieved.

Rossy stated she received calls from owners stating the ballot was confusing, with this said, she believes a clearer ballot should be sent to vote again.

Board had much discussion over sending a new ballot stating some owners may not understand what short term rental are and accepting this ballot leaves the HOA with no restrictions at all for short term rentals. Melanie explained that in the many calls she received, some owners were confused and the subsequent emails to all owners covered much of this confusion. Melanie had to convince many owners to return the ballot as they were tired of having to vote on the same issue over and over again.

Mark and Rossy think another ballot should be sent.

Bobbi and Henry believe the issue should be closed.

Steve stated he was on the fence as to if another ballot should be sent.

Mark believes the HOA needs some sort of rules regarding STRs, at the same time, Bobbi and Steve feel sending another ballot could be seen as an abuse of power.

Mark said there is an ethical position because everybody that bought here knew that STRs were not allowed.

Bobbi restated the motion by Rossy, to send another ballot for STRs, second by Mark, Rossy and Mark approve, Bobbi and Henry opposed, Steve abstained. Motion failed.

Bobbi suggested that if any owners wanted to get a petition together and have 67% to sign for it, the Board would have to start a new vote.

The Late Fee Policy that was approved at the March 5, 2024 Board meeting, will need to be filed with the county along with By-laws and Covenants.

Rossy believes the late fees need to be integrated into the Bylaws. Melanie stated the Late Fee Policy can be its own stand-alone document, to prevent any further delay to filing the revised documents.

Rossy emphasized the only changes made to the By-laws and Covenants are state law.

### **Owners Comments:**

Raquel Harris at 130 Sea Bird wanted to make sure the HOA stops mowing her lot, she believes the \$25.00 a month is outrageous. Bobbi stated that all owners have the option to mow their own lots and her lot will be taken off the schedule as she requested. Bobbi mentioned that if the lot is not mowed, she could incur in fees.

Wani Satish at 142 Sea Bird had a question regarding paying HOA dues and if they could be paid electronically. Melanie explained that at the moment, the HOA does not have a way to receive electronic payments, but has plans to add some sort of payment feature on the website. Owner also is requesting to receive statements both email and paper.

Owners put in waiting room at 8:27 pm

### **Executive Session**

Confidential issues up for Board discussion of mowing bills. Owners to be notified of Boards decision.

Discussion regarding the Beach Access Easement for Ruby Bay, document number 2007042306. All Board members, excluding Mark, agrees the document filed August 15, 2007 is still valid. Executive Session ended.

Motion by Bobbi to accept the Maldonado bid for bi-weekly services, second by Henry, all approved.

2025 budget updated to reflect mowing services of \$17,330.81, billing the lot owners \$25.00 a month not to include January, update postage expense and increase the boardwalk expense to \$10,000.00

Executive Session ended; no owners left in waiting room

**Next meeting date: February 19<sup>th</sup> at 7:00 pm**

**MEETING ADJOURNED at 9:21 pm**