



## PELICAN POINTE HOMEOWNERS ASSOCIATION

October 14, 2020

### **Notice of Meeting** **Annual Meeting of the Membership**

**Monday, November 09, 2020 – ZOOM**

6:00PM – Sign In

6:30PM – Meeting is Called to Order

Dear Owners,

The Annual Meeting of The Pelican Pointe Homeowners Association, Inc. is scheduled for **Monday, November 09, 2020 at 6:30 pm**. Due to COVID Restrictions the meeting will be held via ZOOM. The Board of Directors will meet at the management office located at 6795 E. Tennessee Ave. Suite 601 | Denver, CO. 80224. Owners shall attend via ZOOM or by phone. Meeting Information can be found below. **Sign in will begin at 6:00 PM.** All owners are encouraged to attend! Enclosed you will find: The recently adopted policy for virtual meetings, the 2020 Annual Meeting agenda, 2019 Annual Meeting draft minutes, 2021 Budget, 2021 Budget and Reserve Explanation, and the Annual Meeting Proxy.

The purpose of the Annual Meeting of the Membership is to approve the 2019 Annual Meeting Minutes, Ratify the Board adopted 2021 Budget, provide Association reports, discuss the financial status, and elect two (2) directors. There are two, three-year term positions held by Charlotte Robinson and Marcia Helfant that will expire this November.

If you are interested in serving on the five member Board of Directors please contact [mworkman@weststarmanagement.com](mailto:mworkman@weststarmanagement.com) for a candidate form and further information. All persons wishing to run for the board will need to complete their candidate forms and return them by November 29, 2020 at 5:00PM. Ballots will be sent out with the forms on the 30<sup>th</sup> with a preaddressed stamped envelope. Once received, complete the ballot and drop it in the mail. Ballots will be opened and counted on the night of the meeting. Because the ballots are secret, please do not fax or email your ballots. If you wish, you can drop them off at the management office, sealed in an envelope.

#### **ZOOM Meeting Information:**

Topic: Pelican Pointe ANNUAL MEETING

Time: Nov 9, 2020 06:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85364164965?pwd=bWlrcnUwczMzUUU0TDYyUjJsZmtmdz09>

**\*REVERSE\***



management corp.

6795 E. TENNESSEE AVE. #601  
DENVER, CO 80224  
P 720-941-9200  
F 720-941-9202



PELICAN POINTE HOMEOWNERS ASSOCIATION

**Meeting ID: 853 6416 4965**

**Passcode: 140697**

If you do not have a computer, you can dial in using one of the numbers below. You can search for your local number

Dial in by Phone:

(312) 626 6799

**Meeting ID: 853 6416 4965**

**Passcode: 140697**

If you do not plan to attend the meeting, please fill out and return the enclosed proxy to help us achieve the necessary quorum for the annual meeting. **Ten percent (10%) or nineteen units represented in person or via proxy will constitute a quorum for the Annual Meeting.**

We look forward to seeing you all on Monday, November 09, 2020 beginning at 6:00 pm.

Sincerely,  
On Behalf of the Board of Directors  
Pelican Pointe Homeowners Association, Inc

Mike Workman | CMCA, AMS  
Senior Property Manager  
Weststar Management Corporation

enclosures



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# PELICAN POINTE HOMEOWNERS ASSOCIATION

## ANNUAL MEETING OF THE MEMBERSHIP

### **AGENDA**

**Monday, November 09, 2020 at 6:30 pm**  
Physical Location at 6795 E. Tennessee Ave. Suite 601  
Denver, CO. 80224  
Owners attending via ZOOM

- I. Call to Order/Establish Quorum (10% or 19 units)
- II. Proof of Notice of Meeting
- III. Introductions
- IV. Approval of 2019 Annual Meeting Minutes
- V. Reports  
Past, Present and Financial
- VI. Ratify Board Adopted 2021 Budget
- VII. Election of Two Directors – Three Year Terms
  - a. Ballots will be counted during the meeting. The elected directors will be announced.
- VIII. Owner Forum
- IX. Adjournment



## PELICAN POINTE HOMEOWNERS ASSOCIATION

### ANNUAL MEETING OF THE MEMBERSHIP NOVEMBER 18, 2019 MINUTES

#### I. CALL TO ORDER/ESTABLISH QUORUM

The November 18, 2019 Annual Meeting of the Membership for the Pelican Pointe Homeowners Association, Inc. was called to order at 7:02 pm at the Windsor Gardens East & West Rooms located at 597 Clinton St., Denver, CO 80247. Board Members present were Marcia Helfant, Sheila Powell, Charlotte Robinson, and Mary Gehris. Board Member Jim Bernuth was not in attendance. Jean Ronald, CAM was present representing Weststar Management Corp.

Per the Association's documents, the presence of ten percent (10%), nineteen (19) of the members eligible to vote in person or via proxy constitutes a quorum. Eighty-eight (88) units were represented, sixty-seven (67) units were represented in person and twenty-one (21) were represented by proxy, and therefore a quorum was attained.

#### II. PROOF OF NOTICE – For the records, the membership present acknowledged receipt of the notice of meeting sent October 18, 2019.

#### III. INTRODUCTIONS

Board member Charlotte Robinson called the meeting to order introducing the Board members present, Sheila Powell, Mary Gehris, and Marcia Helfant. Board Member Jim Bernuth was unable to attend the meeting. Charlotte Robinson thanked Kathy Behnke who recently resigned from the Board and extended thanks to all who contributed to committees and community events.

#### IV. APPROVAL OF 2018 ANNUAL MEETING MINUTES

A motion was made and seconded by the membership to approve the November 8, 2018 Annual Meeting Minutes as presented for the records. All those present voted in favor and the motion passed. A final copy the 2019 Annual Meeting Minutes will be posted to the Association's website.

#### V. RATIFY THE BOARD APPROVED 2019 BUDGET

Community Manager Jean Ronald presented the Board approved 2019 Budget noting significant line items. It was stated that 2019 Budget reflects increases to snow removal expenses, and the yearly contribution to the reserves. There is a decrease in the Master Insurance Premium due to the fact that the Association chose to not purchase a buy down. In the absence of a majority of the membership to veto the Board approved Budget for 2020 the budget was automatically ratified. The monthly assessment per unit is set at \$275.00 due on the first of each month.



## PELICAN POINTE HOMEOWNERS ASSOCIATION

Annual Meeting of the Membership Minutes  
November 18, 2019  
Page 2

### VI. OFFICER REPORTS

Charlotte Robinson provided a summary of the year's progress and thanked the Board members and committee volunteers. She reported that the Board secured a contract with BrightView Landscaping for both the grounds maintenance of the community and the snow removal services. In addition Charlotte Robinson summarized the Pensam Development issues relating to the Tava Waters development and the need to retain legal counsel.

Owners present were reminded that monthly financials and monthly Board Meeting minutes are available for viewing and download on the PelicanPointe.net website. All association documents and other valuable information is posted for community viewing.

### VII. ELECTION OF TWO DIRECTORS – Currently the Board is comprised of six Board members and at this election there are two, three year terms expiring. The three year term positions held by Charlotte Robinson and Sheila Powell are expiring. Both Charlotte and Sheila have indicated a desire to be reelected. Board member Kathy Benhke who resigned earlier in the month held a position with the year year terms expiring November of 2021. In addition to Charlotte Robinson and Sheila Powell running, it was announced that Charles Kreiman had entered his name as a candidate for the Board however he would prefer to step aside allowing for the two incumbents to be elected. A motion was made and seconded to elect both Charlotte Robinson and Sheila Powers by acclamation. All members present were in favor and Charlotte and Sheila were elected to serve the two, three year terms expiring November 2022.

Charles Kreiman was introduced as a future member to the Board. Jim Bernuth and Marcia Helfant are serving three year terms to expire November of 2020 and Mary Gehris is serving a three year term to expire November of 2021.

### VIII. OWNER FORUM/EDUCATION – Owners present brought forward questions and concerns relating to snow removal and tree care. The membership was provided with Loss Assessment Insurance coverage information and reminded of the importance to obtain Loss Assessment endorsement with their HO6 coverage.

### IX. ADJOURNMENT – There being no further business, a motion was made and seconded to adjourn the meeting at 8:30 pm.



PELICAN POINTE HOMEOWNERS ASSOCIATION

PROXY

I, \_\_\_\_\_, am a member in good standing of the Pelican Pointe Homeowners Association. Under the provisions of the legal instructions governing said association:

CHECK OR COMPLETE ONE OF THE FOLLOWING

- I grant my proxy to \_\_\_\_\_ or,
I grant my proxy to any of the Directors of the Pelican Pointe Homeowners Association.

CHECK ONE OF THE FOLLOWING

- This proxy may be used only for the purpose of obtaining a quorum.
This is a specific proxy, which carries with it full power to substitution and full right to the proxy holder to cast his/her vote(s) as he/she sees fit only with respect to the election of Board Members for Pelican Pointe Homeowners Association.
This is a general proxy, which carries with it full power to substitution and full right to the proxy holder to cast his/her vote(s) as he/she sees fit, and represent me on all matters voted upon at the Annual Meeting of the Pelican Pointe Homeowners Association.

This proxy is only for actions which are addressed at the November 09, 2020 Annual Meeting of the Pelican Pointe Homeowners Association and any adjournments thereof.

Name: \_\_\_\_\_ Address \_\_\_\_\_
print

Homeowner Signature \_\_\_\_\_ Date \_\_\_\_\_

This Proxy may be delivered by mail, in person, faxed or emailed to the Association's Manager, Mike Workman, at Weststar Management, 6795 East Tennessee Avenue, Denver, Co 80224; FAX 720-941-9202 or email to mworkman@weststarmanagement.com. Proxies must be mailed, faxed, or emailed to management prior to the meeting date to be considered valid and counted towards the quorum. Proxies may also be delivered to a board member to be hand delivered to management.



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## Pelican Pointe 2021 Budget

Your Board has completed a rigorous process to develop the 2021 Budget for our Pelican Pointe community. We followed these principals: maintain and enhance the quality of our physical assets and environment; be careful and prudent stewards of your financial contributions to our common interests and needs, an important concern in these trying times. We spent a lot of time and effort to look at every line item of our Operating Budget and to examine our capital needs to be funded from our Reserve account.

Our overall 2021 budget calls for a monthly assessment of \$295, an increase of \$20 over the 2020 amount. Note that over the past 5 years, 2016 to 2021, the assessment has increased a total of \$35, an annualized increase of less than 3%. Here is how we arrived at the 2021 budget.

### Operating Budget

It is useful to understand the framework of our Operating Budget. First, we have a number of ongoing contracts at currently fixed prices, including Management, Landscaping, Handyman Services, and Tree Care. Then we have the annual Insurance premium that is another significant part of the Budget. Finally, Snow Removal is another major cost that must be funded, even though we can't readily predict the amount of snow we'll have to deal with.

On Snow Removal, we realized that the 2020 budget of \$55,500 had already been exceeded over the first 5 months of 2020, with the fall snow season upon us. This is expected to be a primary cause of our anticipated 2020 Operating Budget deficit. Given the change to time and materials pricing and recent history, it was clear that we needed to bite the bullet and increase the Snow Removal budget for 2021 to a realistic \$100,000 (\$44,500 more than 2020 Budget).

Together these items are over 71% of our total Operating Budget (\$375,663 of \$525,113).

The other line items of our Operating Budget is where we sought to address some priority needs while also looking for savings and economies wherever possible. Here are some highlights:

- Landscape Maintenance – Limited allocation of \$3,500 to continue deep pruning and dead plant removal
- Landscape Improvements - \$8,000 for the entry way replanting
- Tree Care – Maintain allocation to supplement work performed under contract
- Flowers – Reduced to \$750 for flowers in the decorative pots only
- Recognitions – No funds for 2021
- Social and Decorations – Reduced to \$500; social events will need to be primarily self-funding with limited HOA allocation
- Administrative – Eliminate cost of coupon books (if not mandated) for the 33 residents who indicated they did not require coupons
- Sprinkler Repairs – Reduced to \$5,000 (compared to over \$15,000 in 2020) expected from Landscape Committee work on the system
- Water – Reduced estimated consumption by \$3,500 based on improved sprinkler system operation

In round numbers, \$228 of your monthly assessment will be used to fully fund the Operating Budget.

## Capital Needs - Reserves

We tracked the cash flow of our Reserve funds for the past 5 years. Major expenditures have included:

- Phased concrete work for the past 3 years, with one more phase to complete in 2021
- Painting and repairs that began in 2020 that will be completed in 2021

We recognized that the Reserve fund balance has reached an historic low. That resulted in a limited capital improvement program for 2021 that will complete the painting and concrete work, with limited funding for additional sidewalk work, and the replacement of 1 of our 4 sprinkler system clocks. We deferred funding for foundation rock replacement.

Our overall Reserve plan is to increase our 2021 Reserve contribution to minimize the further reduction in the Reserve balance, allocating funds required for the painting and concrete work, with funding for very limited additional projects.

We project that over 2021, capital project costs will exceed the Reserve contribution by about \$65,000.

We anticipate that with the completion of this cycle of painting and concrete work, we will be in a financial position to undertake a more substantial capital program for 2022 and 2023 (using our Reserve Study as a reference) and also begin the process of restoring the Reserve fund balance to historic levels.

For 2021, approximately \$67 of your monthly assessment will be allocated for Reserve contribution.

Send any questions to Michael Workman, PPHOA Manager, at Weststar Management:  
[mworkman@weststarmanagement.com](mailto:mworkman@weststarmanagement.com)



# PELICAN POINTE HOA

## 2021 Annual Budget

Description	2020 Budget	Projected Year to Date Income & Expense	2021 Budget	Budget Increase (Decrease)
<b>INCOME:</b>				
Assessment Income	627,000	627,000	672,600	45,600
Late Fee Income	1,000	996	996	(4)
Miscellaneous Income	400	180	180	(220)
Maintenance Easement Sttlmnt	0	10,000	0	0
Tava Waters	6,250	4,350	4,350	(1,900)
CC&R Fines	0	500	0	0
Interest Income - Reserves	0	42	45	45

Total Income 634,650 643,068 678,171 43,521

### EXPENSES

GENERAL AND ADMINISTRATIVE:	2020 Budget	Projected YTD	2021 Budget	Budget +/-
Admin, postage, copies	6,500	4,746	5,000	(1,500)
Audit/Tax Preparation	4,000	4,000	4,000	0
Catamaran/Tava Waters	6,000	4,275	4,300	(1,700)
Income Tax Exp	100	0	100	0
Insurance	125,106	81,349	121,319	(3,787)
Legal Expenses	5,000	2,826	3,000	(2,000)
Management Fees	32,600	32,300	32,600	0
Meeting Expenses	700	600	600	(100)
Recognitions	500	0	0	(500)
Social and Decorations	6,500	27	500	(6,000)
Webstie	1,000	519	700	(300)
Total Gen. & Admin	188,006	130,642	172,119	(15,887)
<b>LANDSCAPING:</b>				
Landscape Maintenance	3,000	2,673	3,500	500
Flowers	6,300	1,941	750	(5,550)

Landscape Contract	71,124	71,124	71,124	0
Landscape Improvements	5,000	0	8,000	3,000
Snow Removal	55,500	110,243	100,000	44,500
Sprinkler Repairs	5,000	15,957	5,000	0
Tree Care	13,000	21,420	13,000	0
Tree Contract	19,000	19,000	19,000	0
Total Landscaping	177,924	242,358	220,374	42,450
<b>UTILITIES:</b>	<b>2020 Budget</b>	<b>Projected YTD</b>	<b>2021 Budget</b>	<b>Budget +/-</b>
Electricity	4,500	4,545	4,500	0
Water	38,500	41,703	35,000	(3,500)
Wastewater	40,000	43,464	40,000	0
Total Utilities	83,000	89,712	79,500	(3,500)
<b>MAINTENANCE AND SERVICES:</b>	<b>2020 Budget</b>	<b>Projected YTD</b>	<b>2021 Budget</b>	<b>Budget +/-</b>
Critter Control	1,500	0	1,000	(500)
Garage Door Repairs	8,100	2,376	3,000	(5,100)
Gate Maintenance	1,500	857	900	(600)
Gate Phone Lines	0	701	700	700
Handyman Services	31,620	31,620	31,620	0
Maintenance and Repairs	10,000	2,937	3,000	(7,000)
Roof and Gutter Maintenance	10,000	12,980	12,900	2,900
Total Maint. & Services	62,720	51,470	53,120	(9,600)
Total Operating Expenses	511,650	514,181	525,113	13,463
Net Operating Income	123,000	128,887	153,058	30,058
<b>CAPITAL RESERVE FUNDING:</b>	<b>2020 Budget</b>	<b>Projected YTD</b>	<b>2021 Budget</b>	<b>Budget +/-</b>
Reserve Contribution	126,000	126,000	153,058	27,058
Total Capital Transfers	126,000	126,000	153,058	27,058
Net Capital Transactions	126,000	126,000	153,058	27,058
Net Income (Loss)	(3,000)	2,887	\$ -	3,000

Dues Increase of \$20.00 per month, per homeowner for the 2021 budget season.

**THE PELICAN POINTE HOMEOWNERS ASSOCIATION  
USE OF TECHNOLOGY FOR MEETINGS AND VOTING POLICY  
VIRTUAL AND ELECTRONIC MEETING AND VOTING POLICY**

The following Virtual and Electronic Meeting and Voting Policy was adopted by the Board of Directors of The Pelican Pointe Homeowners Association (“Association”), pursuant to Article IV, Section 4.1 of the Declaration of Covenants, Conditions and Restrictions of Pelican Pointe at the Breakers, a Planned Residential Townhome Community, recorded with the City and County of Denver Clerk and Recorder on July 6, 1998 at Reception No. 9800105748 (“Declaration”), at a regular meeting of the Board of Directors.

**Effective Date:** October 13, 2020

WHEREAS, pursuant to the Declaration, the Bylaws of The Pelican Pointe Homeowners Association, effective date June 22, 2015 (“Bylaws”), and the Colorado Common Interest Ownership Act (“Act”), the Association must hold meetings of the board of directors and members from time to time;

WHEREAS, C.R.S. § 7-127-108 states that, unless otherwise provided by the bylaws, the members may participate in any annual, regular or special meeting of the members through means of telecommunication where all people may hear each other during the meeting;

WHEREAS, C.R.S. § 7-128-201(2) states that, unless otherwise provided by the bylaws, the board of directors may permit any director to participate in a regular or special meeting by, or conduct the meeting through the use of, any means of communication by which all directors participating may hear each other during the meeting. A director participating in a meeting by this means is deemed to be present in person at the meeting;

WHEREAS, the Association desires to encourage and increase Member participation in all matters affecting the Association while abiding by all state health orders; and

WHEREAS the Association has the means of supporting the use of technology to facilitate meetings and voting;

NOW, THEREFORE, it is resolved that the Association does adopt the following policy regarding virtual and electronic meeting and voting policy and procedures of the Association:

**Meetings of the Board of Directors**

1. Pursuant to Article V, Section 5.8 of the Bylaws, all Members shall be notified of the regular schedule of such meetings by a notice posted once, near the beginning of the calendar year, at each kiosk bulletin board, and in the Association’s newsletter, stating the monthly date, time, and place. The Board can deviate from any regular schedule of its meetings by posting notice thereof in the mail kiosks (and in the newsletter, if time permits)

a reasonable time before any irregularly scheduled meeting. The Association may, but is not required to, send electronic notice of the Board Meeting to Owners, which may include posting the notice on the Association's website or via e-mail.

2. Pursuant to Article V, Section 5.8 of the Bylaws, any meeting of the board of directors that is conducted pursuant to this Policy shall take place at the address listed in the notice where at least one (1) member of the Board and/or the community manager shall be physically present. All other attendees shall appear via telephone or video conference.
3. Recording. Audio and video recording of Board meetings is prohibited. Notwithstanding the foregoing, the official record-keeper at any meeting may, at the discretion of the Board, record the proceedings of that meeting for record-keeping purposes. The audio or video tapes of any meeting kept by the official record-keeper shall be retained until such time as the information has been memorialized in the minutes of said meeting and such minutes have been adopted by the Board. Any audio or video tapes shall be retained by the Association until such time as the Board has adopted the minutes for the recorded meeting.
4. Etiquette. Members are encouraged to raise their hand or utilize another non-disruptive, non-verbal cue to indicate the Member's desire to be recognized by the chair of the meeting to speak. If a Member refuses to stop talking after his/her allotted time has ended or otherwise disrupts the meeting, the chair of the meeting shall be entitled to "mute" that Member. If, however, the Member continues to disrupt the meeting, the chair of the meeting shall be permitted to remove the Member from the meeting. At the discretion of the chair, all Members attending the Board meeting may be muted at the commencement of the meeting to ensure any background noise does not disrupt the meeting.

#### Meetings of the Members

1. Notice. Notice of any Meeting of the Members pursuant to this Policy shall comply with the notice requirements for Meetings of the Members as stated in Article IV, Section 4.5 of the Bylaws. The notice shall contain the applicable access credentials for Members to attend the Meeting.
2. Place. Pursuant to C.R.S. § 38-33.3-308(1) and Article IV, Section 4.5 of the Bylaws, the notice shall include the "place" of the Meeting which shall be a physical location where at least one (1) members of the Board or the Association's community manager shall be physically present. However, all other attendees shall attend either telephonically or through a video conference service and shall not be required to physically attend the Meeting at the "place" stated in the notice.
3. Proxies. Members may receive a proxy(ies) in conjunction with receiving the notice of the Meeting. Members are encouraged to complete and return their proxy to ensure that quorum is met. The Meeting notice shall contain specific instructions on how a proxy(ies) can be returned and the deadline by which the proxy(ies) must be received by the

Association.

4. Nominations. Due to the nature of virtual meetings, Members who wish to run for the Board that will be nominated at the Members Meeting are at a disadvantage. At least twenty-five (25) days prior to the Annual Meeting of the Members, the Association shall send Board Member Statement Interest Forms (“Interest Forms”) to all the Members of the Association. The deadline to return the Interest Forms shall be fifteen (15) days after the Interest Forms are mailed to the Members. All Interest Forms that are received by the Association shall be included in the notice of the annual meeting mailed to the Members.
5. Voting. C.R.S. § 38-33.3-310(1)(b)(I)(A) and (B) require the use of secret ballots for all contested elections of board members and for any other matter where twenty percent (20%) of the Members present request a secret ballot. The Meeting notice shall contain specific instructions on how votes will be cast at the Meeting.
6. Etiquette. Members are encouraged to raise their hand or utilize another non-disruptive, non-verbal cue to indicate the Member’s desire to be recognized by the chair of the meeting to speak. If a Member refuses to stop talking after his/her allotted time has ended or otherwise disrupts the meeting, the chair of the meeting shall be entitled to “mute” that Member. If, however, the Member continues to disrupt the meeting, the chair of the meeting shall be permitted to remove the Member from the meeting. At the discretion of the chair, all Members attending the Member meeting may be muted at the commencement of the meeting to ensure any background noise does not disrupt the meeting.
7. Recording. Audio and video recording of Member meetings is prohibited. Notwithstanding the foregoing, the official record-keeper at any meeting may, at the discretion of the Board, record the proceedings of that meeting for record-keeping purposes. The audio or video tapes of any meeting kept by the official record-keeper shall be retained until such time as the information has been memorialized in the minutes of said meeting and such minutes have been adopted by the Board. Any audio or video tapes shall be retained by the Association until such time as the Board has adopted the minutes for the recorded meeting.

**General**

8. This Policy shall replace and supersede all previous policies, rules, and regulations regarding the subject matter of this Policy.
9. In the event that a court of competent jurisdiction finds any portion of this policy void or otherwise unenforceable, the other provisions shall remain in full force and effect.

The undersigned hereby certifies that the foregoing resolution was adopted and made a part of the minutes of the meeting of the Board of Directors of the Association conducted on the 13 day of October, 2020.

THE PELICAN POINTE HOMEOWNERS  
ASSOCIATION

By: Charlotte Robiner  
Charlotte Robiner, President  
(Print Name) (Print Title)