

# MAGEE RANCH HOMEOWNERS ASSOCIATION

September 30, 2025

To: All Members – Magee Ranch Homeowners Association

Re: Proposed Amended and Restated Bylaws (“Bylaws”) and Amended and Restated Declaration of Covenants, Conditions and Restrictions (“CC&Rs”) and Notice of Informational Meeting of Members on November 18, 2025 at 6:00 p.m.

Dear Members:

Your Board of Directors (“Board”) retained the law firm of Hughes Gill Cochrane Tinetti, P.C. to prepare the enclosed Bylaws and to update the enclosed CC&Rs to incorporate current law and best practices. If you would like hard copies mailed, please email the Association’s manager, Stacey Lint, at [slint@hoaservices.net](mailto:slint@hoaservices.net).

You are encouraged to attend the informational meeting of the members via videoconference on November 18, 2025 at 6:00 p.m. If you have any questions about the proposed Bylaws and CC&Rs, an attorney from Hughes Gill Cochrane Tinetti will attend the meeting for one (1) hour, from 6:00 p.m. to 7:00 p.m., to answer any questions. The Board of Directors will also attend. The link to join the meeting is:

<https://us02web.zoom.us/j/81122144981?pwd=PFqITnQTAAZ7DlRUhZTTXpC0CNhxPL1>,  
Meeting ID: 811 2214 4981 and Passcode: 94506.

## **Reasons Revision of the Governing Documents is Important**

Our current governing documents are **original** to the development and date back to **1989**. There have been a number of changes in the law in the past 35 years that have changed the way homeowners’ associations function and, therefore, our documents are out of date with current law in a number of areas. The Davis-Stirling Common Interest Development Act (“Davis-Stirling Act”), the primary body of law affecting homeowner associations in California, has been amended every year since it was enacted in 1986. Additionally, in 2014, the Davis-Stirling Act was completely reorganized and renumbered and, in 2020, the election provisions of the Davis-Stirling Act were significantly revised requiring important changes to the existing Bylaws. All of the changes in the law in the past 35 years are reflected in the proposed Bylaws and CC&Rs.

Because entirely new Bylaws and CC&Rs have been created, we are unable to provide you with documents that reflect each and every “change” to the existing Bylaws and CC&Rs. The following summary is provided to help you read the documents and identify provisions of note.

## **Bylaws**

The Association’s Bylaws address how the Association functions as a corporation and were drafted to comply with relevant provisions of the California Corporations Code and Civil Code. As with the CC&Rs, many of the changes to the Bylaws were made to keep pace with changes to California law.

- Annual Meeting – Section 4.1 of the proposed Bylaws provides that the annual meeting shall be held each calendar year (rather than a specific month) on a date and at a time and place to be designated by the Board of Directors.
- Remote Meetings – Sections 4.5 and 6.7 of the proposed Bylaws allow remote meetings without a physical location, unless ballots are being counted.
- Secret Ballots – Section 4.6 of the proposed Bylaws provides that any vote on assessments requiring a membership vote be conducted by written secret ballots and all other votes may be conducted by electronic secret ballot, consistent with new law effective on January 1, 2025.
- Quorum – Section 4.8.2 of the proposed Bylaws provides that the quorum for the election of directors is the number of ballots received by the stated deadline. Section 4.8.3 provides that there is no minimum quorum requirement for the annual meeting of the members unless a vote is being conducted. The quorum for action on other matters is 25% of the total voting power (65 Ballots), which may be reduced to 15% of the total voting power (39 Ballots). This is a change from Section 3.07 of the existing Bylaws, which provides for a quorum of a majority of the total voting power (130 Ballots), which may be reduced to 25% of the total voting power (65 Ballots).
- Proxy – The proposed Bylaws prohibits the use of proxies in Section 4.10.
- Qualifications for Candidates – Sections 5.2 and 5.8 of the proposed Bylaws reflect changes in the law effective January 1, 2020.
- Cumulative Voting – Section 5.4 prohibits cumulative voting.
- Write-in Candidates – Write-in candidates for the Board are prohibited by Section 5.4.
- Acclamation – Section 5.5 of the proposed Bylaws allows for directors to be elected by “acclamation” subject to compliance with new requirements under the Civil Code.
- Staggered Terms for Directors – Section 5.6 provides for staggered two-year terms for the five (5) directors.
- Disqualification of Directors – Section 5.8 of the proposed Bylaws provides that a director who misses three (3) consecutive regular meetings may be disqualified.
- Contracts – Section 7.1.2 of the proposed Bylaws authorizes the Board to enter into contracts exceeding one year without a membership vote.
- Existing Approval Requirement – The existing Bylaws require the approval of a majority of the total voting power, or at least 130 affirmative votes out of 259 total possible votes.
- Future Approval Requirement – The proposed Bylaws require the approval of a majority of a quorum of the Members, where the quorum is 25% of the total voting power, which may be

reduced to 15% of the total voting power, as described in Section 6.1.3 of the proposed Bylaws. This means at least 65 Ballots (which may be reduced to 39 Ballots) must be cast and a majority of those votes cast must be in favor of the amendment to the proposed Bylaws.

### **CC&Rs**

The purpose of the CC&Rs is to regulate Association and member conduct relative to the real property in the Association, both with respect to your lot and the common area. Below is a list of some significant and substantive changes to the CC&Rs, as well as some provisions that have been carried over from our existing CC&Rs.

- Leasing – Section 3.4.2 of the proposed CC&Rs requires all leases to have a minimum lease term of six (6) months. This is a change from the existing CC&Rs, which do not impose a minimum lease term. This does not apply to current owners according to existing law.
- Residential Use – Section 4.1 of the proposed CC&Rs limits the occupancy of each residence to two (2) individuals per bedroom plus one (1), consistent with the law.
- Pets – Section 4.7 of the proposed CC&Rs allows a reasonable number of pets, consistent with Section 5.11 of the existing CC&Rs.
- Outside Clotheslines – Section 4.10 of the proposed CC&Rs allows clotheslines within back yards of the lots, consistent with the law.
- Basketball Standards – Section 4.12 of the proposed CC&Rs allows a free-standing standard located so a ball in normal play cannot strike a neighboring house or go into the street that is stored out of sight when not in use.
- ADUs – Section 4.17 of the proposed CC&Rs requires prior approval for the construction of any accessory dwelling units.
- Maintenance – Article 5 of the proposed CC&Rs incorporates the maintenance responsibilities from Article VI of the existing CC&Rs. Section 5.8 of the proposed CC&Rs incorporates the Geologic Hazard Abatement District (“GHAD”) provisions from Section 9.04(b)(iv) of the existing CC&Rs. Section 5.9 of the proposed CC&Rs incorporates the East Bay Regional Park District’s (“EBRPD”) right to repair and replace any fences which separate the lands owned by EBRPD, consistent with Section 9.04(c) of the existing CC&Rs.
- Satellite Dishes – Section 7.8 of the proposed CC&Rs complies with current California law regarding satellite dishes.
- Damage and Destruction – Article 10 of the proposed CC&Rs adds damage and destruction provisions, which are missing in the existing CC&Rs.
- Enforcement by Town of Danville – Section 11.15 of the proposed CC&Rs incorporates the Town of Danville’s enforcement rights from Section 9.04(a) of the existing CC&Rs. Former Sections 2.01, 3.05(b)(iv), 3.06, 4.01, 4.07. and 5.03(e) have been renumbered and updated so these changes will need to be approved by the Town of Danville.

- Enforcement by District – Section 11.16 of the proposed CC&Rs incorporates the Central Contra Costa Sanitary District’s enforcement rights from Section 9.04(b) of the existing CC&Rs.
- Existing Approval Requirement – The existing CC&Rs and proposed CC&Rs require the approval of 51% of the total voting power, which is 133 affirmative votes.
- Future Approval Requirement – The proposed CC&Rs require the approval of a majority of a quorum of the Members, where the quorum is 25% of the total voting power, which may be reduced to 15% of the total voting power, as described in Section 4.8.4 of the proposed Bylaws. This means at least 65 Ballots (which may be reduced to 39 Ballots) must be cast and a majority of those votes cast must be in favor of the amendment to the proposed CC&Rs.

### **Bring Your Questions to the Informational Meeting**

Please carefully review the proposed governing documents. If you have questions about the proposed documents, you are encouraged to bring them to the informational meeting on November 18, 2025. The meeting will be conducted via videoconference at 6:00 p.m.

Please note that the vote to approve the proposed Bylaws and CC&Rs will *not* be conducted at the November meeting. The Board will consider all comments received at that meeting and may ask the Association’s attorney to make changes to the proposed documents if appropriate.

Following the informational meeting, a Ballot to vote “FOR” or “AGAINST” the proposed Bylaws and CC&Rs, as well as copies of the proposed Bylaws and CC&Rs, will be sent to each member of the Association, as required by law, at least thirty (30) days prior to the Ballot tabulation meeting.

If you have any questions, please contact the Association’s manager, Stacey Lint, at [slint@hoaservices.net](mailto:slint@hoaservices.net).

Very truly yours,

Board of Directors  
Magee Ranch Homeowners Association

Enclosures: Bylaws and CC&Rs