

POINTE MARIN ASSOCIATION

MEMBER NEWSLETTER

There will be NO ELECTION in 2022!

The Pointe Marin Association (PMA) Bylaws require that an election for our Director positions be held every year (for 2 positions in odd-numbered years and for 3 positions in even-numbered years). An election was carried out in 2021. However, the PMA Board has taken NO ACTION to carry out an election in 2022. In addition, the PMA Board has allowed the third Director position to remain vacant since January 2021.

The Board's Proposed Enforcement Policies are Unreasonable and Invalid!

The PMA Board has shared a draft enforcement policy with the members. The proposed fine amounts are *10 to 250 times* the current "per occurrence" amounts and an incredible *\$1,000 per day* for "continuing" violations. (Currently, fine amounts are \$10-\$50 per occurrence and for continuing violations.) Unfortunately, all of the Board's fine increases are unreasonable. As a result, all of them are invalid.

In addition, the PMA Board claims it can enforce: violations of serious threat of personal injury, property damage, violations of law, littering, dogs not on a leash, dangerous animals, and parking. However - all of these issues are under the jurisdiction of the Novato Police Department or Marin Animal Control! As a result, all of the Board's proposals to "enforce" these issues are automatically invalid.

Please visit www.pointemarinassociation.com, "Bogus Board Policies," for more information.

All PMA Members Have the Right to Vote in All PMA Elections

All PMA Members have the right to vote, even if they are behind in paying assessments or have outstanding CC&R violations. See Civil Code section 5115(c).

If the PMA Board threatens to withhold an election ballot from you, please contact Catherine Rucker at catherineruckermarin@gmail.com.

Please Participate in the Next PMA Board Meeting on Thursday, Dec. 8, 2022 at 6:30pm

If you wish to speak at a PMA Board Meeting, the Board will only allow you to speak for 2 minutes at a time.

Update about the Catherine Rucker v. PMA Lawsuit (CIV-2100162)

On October 8, 2020, the PMA Board approved a set of Election (Operating) Rules - which included numerous defective rules. In addition, the PMA Board made sixteen changes to its "own" version of the Rules - that were never reviewed by the members. As a result of these improper Board actions, PMA Member Catherine Rucker filed a lawsuit in the Marin County Superior Court. Her lawsuit demands that all of the defective Election Rules be corrected. The lawsuit also alleges that the PMA Board has repeatedly violated the Davis-Stirling Open Meeting Act.

The PMA Board filed a claim with the PMA's Director & Officer (D&O) insurance company. As a result, the Board has 1 million dollars to spend on litigation attorneys. In contrast, PMA Member Catherine Rucker has been spending her own funds.

For current information, please visit www.pointemarinassociation.com, "Lawsuit."

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