



# Sudden Valley Community Association

360-734-6430

4 Clubhouse Circle Bellingham, WA 98229

[www.suddenvalley.com](http://www.suddenvalley.com)

## **Board of Directors Regular Meeting**

May 9th, 2024, 6:00 PM, IN PERSON, DANCE BARN

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Call to Order

Land Acknowledgement & Anti-Racism Statement

Roll Call

Item 1) Adoption of Agenda

Item 2) Barn 8 Engineering Q&A

2a. Discussion of options

2b. Voting, as necessary

Item 3) Announcements

Item 4) Property Owner Comments – 15 Minutes Total

*Please note that comments are limited to 3 minutes per person.*

Item 5) Consent Agenda

5a. Minutes – April 11, 2024, as submitted

Item 6) General Manager Report

Item 7) Continuing Business

7a. Request for Approval – Granite Construction Contract Amendments

Item 8) New Business

8a. Request for Approval – 2024 AC Policy Updates

8b. Request for Approval – UniLect 2024 Election Services

8c. Request for Approval – Golf Pass for Brian Kruhlak

8d. Request for Approval – Recruitment Company Selection and Funding

8e. Form GM Search Committee and Appoint Members

Adjournment



**REGULAR SESSION OF THE BOARD OF DIRECTORS**

Thursday, April 11, 2024

Minutes

**DATE AND LOCATION:** Dance Barn  
**CALLED TO ORDER AT:** 7:08 PM  
**AUDIENCE MEMBERS:** Not Recorded

**BOARD MEMBERS PRESENT:**

1. Keith McLean-excused	4. Laurie Robinson-via zoom	7.AJ Tischleder	10. Robb Gibbs-excused
2. Taimi Van de Polder	5. Sonia Voldt	8. Rick Asai	11. Daniel Rodriguez
3. Linda Bradley	6. Ray Meador-absent	9 Stu Mitchell-absent	

**ATTENDING:**

**Staff Members:** Jo Anne Jensen, General Manager, Spencer Huston, Staff Member.

**Call to Order**

Director Van de Polder, Vice President Called the meeting to order at 7:08 PM.  
 President McLean had an approved absence.  
 Land Acknowledgement and Anti-Racism Statement.

- The Chair called for the adoption of the agenda.

**Move to amend the agenda to remove the minutes of March 28, 2024.**

<b>Motion By:</b> Director Bradley		<b>Seconded By:</b> N/A	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	

Director Rodriguez requested to have a new member approved to the ACC Committee.  
**Moved to Amend the Agenda to add 8G, ACC Committee member approval.**

<b>Motion By:</b> Director Bradley		<b>Seconded By:</b> N/A	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	

**Motion: Move to adopt the amended agenda?**

<b>Motion By:</b> Director Bradley		<b>Seconded By:</b> Director Van de Polder	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	

- Announcements.**

Committees having vacancies: N&E, Long Range Planning, ACC, and Finance Committee.

The Chair missed dealing with the other minutes in the Consent Agenda and moved onto Property Owner Comments.

Director Voldt interjected: Can I make a motion to remove the March 14th minutes for discussion, so can we just pull those. We just remove the consent agenda and make that item 5 and move everything else down.

The GM reminded everyone we need to amend and vote again.

**Motion:** All in favor of that change.

<b>Motion By:</b> Director Van de Polder		<b>Seconded By:</b> N/A	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	

**3. Property Owner Comments**

Several members in attendance addressed the Board regarding short-term rentals, both pro and con. (Listen to the You-Tube video of the meeting for specific comments.)

Another member addressed the use of rat boxes in SVCA and the dangers to pets and wild animals.

**4. Consent Agenda:**

**Motion:** Pull Sudden Valley Item number 4, the consent agenda meeting minutes from March 14, 2024, for further review and add the Board appeal decision document.

<b>Motion By:</b> Director Voldt		<b>Seconded By:</b>	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> 5	<b>Against:</b>	<b>Abstained:</b> 1	

**5. Long Range Planning Committee Update**

Director Tischleder and Director Voldt presented the Board with a survey document from LRPC, and a synopsis of the priorities recognized in the survey. Discussion with the Board of the results. LRPC would like to ask the Board to schedule another strategic planning meeting with the Board, LRPC and key staff to hone in on the Rec Corridor facilities to be followed by similar meetings regarding other facilities. Those are large-scale projects that require significant planning to move forward. A request for the Project Manager and engineers on the projects attend also. After discussion, it was decided that a couple of suggested dates for the meeting be sent to the Board via email to see what dates most of the Board could be available to attend.

**6. General Manager's Report--March**

**7. Continuing Business**

**7a & b. Code of Conduct and Grievance Procedure Policies**

**Motion:** Move to accept the resolution with the recommended changes.

<b>Motion By:</b> Director Van de Polder		<b>Seconded By:</b> Director Voldt	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> 5	<b>Against:</b>	<b>Abstained</b> 1	

**7c. Resolution for Creation of the Safety Committee**

**Motion:** to approve the creation of the safety committee with the discussed edits.

<b>Motion By:</b> Director Van de Polder		<b>Seconded By:</b> Director Voldt	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>

<b>In Favor: 5</b>	<b>Against: 1</b>	<b>Abstained:</b>	

**8. New Business**

**8a. Budget Calendar**

Discussion of proposed dates and a reminder to the Board of special dates in the calendar regarding the 2025 Budget Presentations and Budget adoption date voting.

**8b. SVCA Leasing Policies**

The GM reviewed the governing documents related to leasing properties. Explaining what the rules are and then providing the specific text from the document cited that supports that rule. How important is this issue to the board and whether we need to take it on as a high priority and get answers to these questions, or whether we need to focus more of our resources on the other important things that are on our list of activities? What options do we have to amend the Bylaws to define more clearly what is acceptable?

**8c. Short Term Rentals in SVCA**

Discussion. Contact our attorney for further information and determine what options we have to control rental properties within SVCA. Amend Bylaws regarding rentals and leasing to a set number of days (30 days). GM will contact the attorney for further information and options. Clearly understand what legally SVCA has authority to enforce regarding rentals.

**8d. Free Community Events Discussion**

Discussion. Develop a policy regarding free community events that can be announced by SVCA and consider free rental of SVCA facilities for those types of events. Discussed options to support free events in the Valley that could be looked at for consideration in the future.

**8e. Request for Approval-2024 ACC Fines & Fees**

**Motion:** Move that the SVCA board of directors approve the proposed increase to the ACC Fines and fees schedule with the changes as discussed.

<b>Motion By:</b> Director Van de Polder		<b>Seconded By:</b> Director Bradley	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	

**8f. Request for Approval-Golf Course Cart Paths Contract Award**

**Motion 1:** Move that the SVCA Board of Directors authorize the General Manager to execute SVCA’s standard construction contract with Asphalt Northwest, LLC per their proposal dated March 29, 2024, to complete asphalt repairs to the cart paths. Contract value is estimated at \$50,455.44 with a unit price of \$5.64 per SF.

<b>Motion By:</b> Director Van De Polder		<b>Seconded By:</b> Director Bradley	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	

**Motion 2:** Move that the SVCA Board of Directors authorize the turf care superintendent to issue a change order to Asphalt Northwest LLC utilizing any unused design permitting, and bidding funds available with a total project expenditure not to exceed \$54,080.

<b>Motion By:</b> Director Van De Polder		<b>Seconded By:</b> Director Bradley	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>

<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	
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**8g. ACC Member Approval**

**Motion:** All in favor of approving Dan Vink.

<b>Motion By:</b> Director Van De Polder		<b>Seconded By:</b> N/A	
<b>Approved:</b> X	<b>Not Approved:</b>	<b>Tabled:</b>	<b>Died:</b>
<b>In Favor:</b> Unanimous	<b>Against:</b>	<b>Abstained</b>	

**Adjourned: 10:11PM**

Approved by: \_\_\_\_\_  
Linda Bradley, Board of Directors Secretary

DRAFT



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**APPROVAL REQUEST MEMO**

**To: Sudden Valley Community Association Board of Directors**  
**From: Jo Anne Jensen, General Manager**  
**Date: May 9, 2024**  
**Subject: Approval of Granite Construction Contract Amendments**

**Purpose**

To receive approval for the contract amendments proposed by Granite Construction.

**Background**

On April 25, 2024, the SVCA Board of Directors voted to award the 2024 Roads & Drainage project to Granite Construction. Upon review of SVCA’s standard construction contract, Granite Construction asked for contract amendments (attached). These amendments were reviewed and revised by SVCA’s legal counsel. The proposed amendments are not substantive changes and including them in the contract does not expose SVCA to additional risk.

**Proposal**

I recommend that the SVCA Board of Directors approve the proposed amendments and direct the General Manager to execute the amended contract with a not to exceed amount of \$916,153.

**Motion**

Move that the SVCA Board of Directors approve the proposed amendments and direct the General Manager to execute the amended contract with a not to exceed amount of \$916,153.

**Approvals**

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ SVCA Board of Directors

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Keith McLean, SVCA Board President

**AMENDMENT TO CONTRACT**

In consideration of the following mutual covenants, and notwithstanding any conflicting or inconsistent term or condition set forth in the Construction Contract dated \_\_\_\_ (“Contract”), Sudden Valley Community Association (“Owner”) and Granite Construction Company (“Contractor”) agree to amend the Contract as follows, which amendment shall be controlling in all instances:

1. Indemnification. Contractor’s obligation to indemnify and hold harmless an indemnified party shall be limited to third-party claims. Contractor’s duty to indemnify Owner shall not apply to liability for damages arising out of claims to the extent caused by or resulting from the negligence of Owner or its agents or employees. Contractor’s duty to indemnify Owner for liability for damages arising out of claims caused by or resulting from the concurrent negligence of: (a) Owner, its agents or employees, and (b) Contractor, its agents, employees and its lower-tier subcontractors or suppliers of any tier shall apply only to the extent of negligence of Contractor, its agents, employees and its lower-tier subcontractors or supplier of any tier.

2. Changes & Delay. Contractor shall be compensated on a time and materials basis for additional work arising out of a work change directive pending issuance of a change order. Provided that Contractor complies with the notice requirements set forth in the Standard Contract General Conditions, Contractor shall receive equitable adjustments to the Contract Price and/or the Contract Time for changes, delays, and/or disruptions to its work caused by Owner, other contractors, or those for whom they are responsible, or other events outside of Contractor’s reasonable control.

3. Site Conditions. Contractor shall have no responsibility for any site condition to the extent they relate to (1) subsurface or latent physical conditions at the site which differ materially from those indicated in this Agreement; or (2) unknown physical conditions at the site, of an unusual nature, which differ materially from those ordinarily encountered and generally recognized as inhering in work of the character provided for in the Agreement.. Contractor shall give prompt notice of any such site conditions.

4. Mutual Waiver. Neither party shall be liable to the other for consequential, incidental, indirect, or punitive damages including but not limited to loss of use, lost profits, loss of business opportunity, and loss of business goodwill. This waiver shall not apply to limit, if applicable, (a) liquidated damages for which Contractor is contractually responsible or (b) Contractor’s indemnity obligations arising from bodily injury, death, or property damage.

**Granite Construction Company**  
Contractor

**Sudden Valley Community Association**  
Owner

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_



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**REQUEST FOR APPROVAL MEMO**

**To: Sudden Valley Community Association Board of Directors**

**From: Jo Anne Jensen, General Manager  
 Rob Gibbs, Nominations & Elections Committee Chair**

**Date: May 9, 2024**

**Subject: Request for Approval – UniLect Contract for 2024 Election Services**

**Purpose**

To request approval for the UniLect contract for 2024 election services.

**Background**

SVCA’s Nominations & Elections (N&E) Committee Chair and General Manager have worked with UniLect to develop a draft contract for election services in 2024. The contract includes a separate mailing to members living outside the United States as well as upgraded printing services. The negotiated contract was reviewed and approved by the N&E Committee and is now being presented for approval.

**Details**

The table below summarizes the changes proposed for 2024:

2023	2024
Materials were printed in California (CA) and reviewed as electronic files	Materials will be printed in Bellingham and reviewed both electronically and as hard copy
All materials were mailed from CA via the USPS; a follow up mailing was mailed in Canada by SVCA staff	Materials being mailed to US members will be mailed from Bellingham via the USPS; Materials being mailed to members who live in Canada will be mailed via Canada Post by the print/mail vendor
All materials were intended to be returned to a post office box in CA; a Canadian PO Box was added during the election period to facilitate Canadian returns	Two PO Boxes will be used; one in CA and one in Bellingham; US returns will go back to CA; Canadian returns will go back to Bellingham
The outer (mailing) envelope was a white 6x9 regular envelope using inkjet printing	The outer envelope will be a 6x9 window envelope impact printed in full color; the mailing address will be visible through the window



The mailing date for election materials was 9/27	Two mailing dates will be used in 2024: Canadian members will be mailed on 9/23; US members will be mailed on 9/25
All election materials were finalized at one time	Materials will be finalized at interim dates to facilitate envelope printing (refer to Attachment B)

**Rationale for Changes**

Upgraded Envelope

Generally, about one-third of SVCA members participate in elections. Research on consumer response to mail campaigns is consistent in identifying that the quality of the mailed materials has a significant positive impact on response rates. Increases of up to 10% have been demonstrated through the use of a color window envelope.

Local Typesetting & Printing

By providing materials at interim dates, the materials can be professionally laid out to ensure the best readability. By doing this work locally, it will be possible to proof the materials in hard copy, significantly reducing the likelihood of errors without affecting the timeline.

Separate Canadian Mailing

In 2023, several Canadian members let us know that they had not received their ballots when expected. After conducting research into international and Canadian mail processes, Unilect determined that the hand-off of mail from the USPS to CanadaPost added as much as 14 days to the delivery time and similar delays were experienced when CanadaPost returned mail to the USPS. By mailing the outgoing election materials using Canada Post, the initial 14 day delay can be avoided.

**Summary of Costs**

In 2023, the proposed cost for Unilect’s services was \$17,093.75. Actual costs were \$23,778.84. The increase was due to the additional printing and postage required to accommodate Canadian members.

In 2024, the proposed cost for Unilect’s services is \$22,519.65. This includes estimates for both USPS and CanadaPost postage.

**Request**

I request that the Board of Directors approve the proposed contract with UniLect for election services in 2024 and authorize the General Manager to sign the contract on behalf of SVCA.

**Motion**

Move that the SVCA Board of Directors approve the proposed contract with UniLect for election services in 2024 and authorize the General Manager to sign the contract on behalf of SVCA.

**Board of Directors Approval**

Approved: \_\_\_\_\_ Not Approved: \_\_\_\_\_ SVCA Board of Directors

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Keith McLean, SVCA Board President

**SVCA 2024 ANNUAL MEETING BOD ELECTION TIMELINE**

**ATTACHMENT B**

<b>DATE</b>	<b>ELECTION ACTIVITY</b>	<b>Owner</b>
7/15/24	SVCA sets up Bellingham Post Box & sends add to UniLect	General Manager
7/30/24	SVCA sends UniLect mock-up for Color Carrier Envelope	N&E/BOD
8/2/24	UniLect sends EnvelopeArt to SVCA for approval to print	N&E/BOD review & approve
8/2/24	UniLect sends Official Ballot Voter Instructions to SVCA	N&E/BOD review & approve
8/16/24	SVCA sends approval to print Envelopes	General Manager
8/16/24	SVCA sends initial draft approval to Ballot Voter Instruction	General Manager
8/26/24	SVCA emails Member Mailing List in Excel to UniLect	General Manager
8/30/24	SVCA sends Voter Guide Word Doc for lay-out	General Manager
9/5/24	SVCA sends UniLect Official Ballot Info & Candidate Statements	N&E
9/9/24	UniLect sends SVCA PDF Voter Guide for digital approval	N&E/BOD review & approve
9/9/24	UniLect sends SVCA Official Ballot Sample	N&E/BOD review & approve
9/13/24	SVCA sends UniLect all Final Changes/Final Approval Voter Guide & Official Ballot	General Manager
9/16/24	SVCA reviews Voter Guide at AMS - "Approves To Print"	General Manager
9/23/24	SVCA Canada Ballots couriered to Canada Post & dropped	Unilect
9/25/24	SVCA U.S. Ballots dropped into USPS mail	Unilect
10/17/24	Canada Members Duplicate Request Deadline	
10/24/24	U.S. Members Duplicate Request Deadline	
10/31/24	SVCA to provide UniLect w/ Not in Good Standing Members	General Manager
11/1/24	12 Noon Deadline Ballot Return to California Post Box	Unilect
11/1/24	12 Noon Deadline Ballot Return to Washington Post Box	N&E
11/1/24	4:30 p.m. Deadline Ballot Return Clubhouse Ballot Box	N&E
11/2/24	In-Person Voting 9am-12:30pm	Unilect/N&E
11/2/24	N&E Volunteers arrive at 10:00a.m. for opening envelopes	N&E
11/2/24	SVCA Annual Meeting at 1:00 p.m.	BOD



Date: April 28, 2024

Proposal For: Sudden Valley Community Association Board of Directors  
Jo Anne Jensen/ G.M. & SVCA N&E Committee

UniLect Contact: Catherine Burkhart / Director/Inspector of Election Services  
Andrew Burkhart / Chief Elections Administrator

RE: The Sudden Valley Community Association  
2024 Board of Directors/Annual Meeting Election

## **INTRODUCTION**

The UniLect Corporation is pleased to submit this proposal to Sudden Valley Community Association (SVCA) for Inspector of Election services for your upcoming election. This proposal recommends UniLect's By-Mail Paper Ballot Optical Scan Voting System. UniLect's Voting Systems are federally certified, tested to meet the highest standards of integrity, accuracy and security, and have been used in federal elections since 1996. UniLect's services are used in Board of Directors, Officer, Bylaw, Contract, Merger and Delegate Elections by the Golden Rain Foundation, Laguna Woods Village, San Lorenzo Village Homes Association, International Brotherhood of Teamsters, California Federation of Teachers, United Nurses Association of California/Union of Health Care Professionals, the United Auto Workers, United Food & Commercial Workers, IBEW, SEIU, United Aerospace Workers, American Federation of Government Employees, International Association of Theatrical Stage Employees, Motion Picture Costumers, Bricklayers, Carpenters, American Postal Workers, National Postal Mail Handlers and many more.

UniLect's Voting Systems have been used in six (6) U.S. Presidential Elections (1996 – 2016). UniLect's Voting Systems have been used in thirty-three (33) counties and cities since 1996. To date, UniLect's Voting Systems have served well over 13.5 million registered voters and private organization members.

## **SCOPE OF SERVICE**

UniLect understands that:

1. SVCA is interested in conducting its Annual Election using a by-mail ballot election process where its members can vote by mail and in-person at the Annual Meeting.
2. UniLect will work with the Nominations and Election (N&E) Committee Chair and the Board of Directors, as represented by the General Manager. SVCA N&E Committee Chair, the General Manager, and a UniLect Representative will make all rulings on invalidated ballots. UniLect will make itself available to the N&E Committee Chair and the General Manager via tele-conference and/or Video conference as needed, to ensure all aspects of SVCA's Annual Election are fully understood/approved and executed. The N&E Committee Chair and the General Manager are the only individuals with whom UniLect will discuss this contract or the election process. Additionally, any changes to the activities detailed in this contract or to the scope of those activities should be made in writing and must be approved by the Board of Directors.
3. SVCA's Annual General Meetings are held on the first Saturday in November. SVCA's 2024 Annual Meeting and Election will be held on Saturday, November 2nd at The Dance Barn located at 8 Barn View Dr. Sudden Valley, Bellingham, WA.
4. SVCA Domestic Ballots submitted by mail will be returned to a UniLect California post box. Canadian Ballots will be returned to a Bellingham, WA Post Box. For ballots returned to the Bellingham, WA Post Box and ballots dropped off at SVCA's Community Ballot Box, the N&E Committee and/or General Manager will be picking ballots up and tracking returns. UniLect will

scan the envelopes of the Canadian Ballots and ballots dropped off at the Community Ballot Box, on the morning of Saturday, November 2, 2024.

5. SVCA has approximately three thousand one hundred (3,100) member lots entitled to vote.
6. SVCA members shall be entitled to one (1) vote for each lot which he/she owns as prescribed in Section 7(b) of SVCA's Bylaws. Owners of multiple lots will receive a separate ballot packet for each lot owned. Once a vote is cast, it may not be changed.
7. There will be one (1) ballot style for this election. Each member in good standing, (1 vote per lot), may vote for candidates for the Board, candidates for the Nominations and Election Committee, candidates for the Architectural Control Committee, the proposed budget and any other issues as determined by the Board. Members who are not in good standing (1 vote per lot) are only eligible to vote on the proposed budget. Cumulative voting is prohibited.
8. Candidate(s) to the Board, the Architectural Committee and the Nominations and Election Committee, receiving a plurality vote shall be elected.
9. RCW 64.90.525 Budgets-Assessments-Special Assessments: (1)(a) "Unless at that meeting the unit owners of units to which a majority of the votes in the association are allocated or any larger percentage specified in the declaration reject the budget, the budget and the assessments against the units included in the budget are ratified, whether or not a quorum is present". (SVCA Bylaws Section 19 (a)- Requirement of 60% participation of the members language was superseded and made void in 2018 by action of WA State Law RCW 64.90.525, per RCW 64.90.085(2).
10. Each member/lot will receive a ballot packet by mail that will include: One (1) Carrier (out-bound) Envelope ; One (1) pre-addressed postage pre-paid Return Envelope with signature line (and unique member data barcode on the backside of the Return Envelope); One (1) Secret Ballot Envelope; One (1) Official Ballot; and One (1) Voter Guide to include President's Letter, Meeting Agenda, the 2024 Proposed Budget, financial documentation, any Measure Descriptions, Candidate Biographies and Voting Instructions.
11. For the 2024 Election, the SVCA ballot packet's Carrier Envelope will be a full color 6" x 9" window envelope. Member names and addresses will be printed onto the backside panel of the Voter Guide, if artwork allows. (If the Voter Guide artwork and print requirements do not allow for this, an additional sheet will need to be inserted into the ballot packet for accommodating the member name/address to be seen through the window envelope.)
12. See Attachment B for a detailed timeline of election activities and deadlines.
13. For the 2024 Election, SVCA Ballot materials will be printed and mailed from AMS Print & Mail in Blaine, WA.
14. The Official Ballot Packet Mailing to all Canadian SVCA members will take place no later than Monday, September 23, 2024, allowing a total of thirty-nine (39) days between mailing drop and by-mail ballot return deadline. These ballots will be couriered into Canada and dropped directly into Canada Post. A Bellingham, WA Post Box will be set up for the return of Canada Ballots.
15. The Official Ballot Packet Mailing to all U.S. SVCA members will take place no later than Wednesday, September 25, 2024, allowing a total of thirty-six (36) days between mailing drop and by-mail ballot return deadline. These ballots will be returned to UniLect's California Post Box.
16. Per SVCA Bylaws and Election Manual: "election materials must be mailed not less than thirty (30) days or more than fifty (50) days prior to the election".

17. UniLect will provide a USPS proof of mailing postal form showing the exact number of SVCA Ballot Packets dropped at the USPS on September 25, 2024. A declaration of facts will be provided for the Canadian ballots dropped into Canada Post via AMS Print & Mail on September 23, 2024.
18. Ballots returned by mail to the Inspector of Elections California Post Box will be picked up daily by UniLect and UniLect will scan each barcoded return envelope in order to create the list of all SVCA members who returned their ballot and check to ensure signatures are on each envelope. UniLect will promptly send a replacement ballot with an explanation to members who returned an unsigned envelope if time allows.
19. Canadian Ballots returned by mail to the Bellingham WA Post Box will be picked up by the N&E Committee and/or General Manager.
20. UniLect will maintain a Master List of all SVCA members who submitted an Absentee Ballot to UniLect's California Post Box and provide regular updates to the N&E Committee Chair.
21. UniLect will provide a toll-free Ballot Request Call Center phone number that will be available to all SVCA members 24/7 throughout the election period. Once a member calls in to request a ballot, an automated email is sent immediately to UniLect's fulfillment department with the member's information so UniLect can verify against the Master Mailing List. On Election Day, UniLect provides backup of all ballot requests in SVCA's Master Election File. Replacement Ballots are mailed out on the same business day or the next business day.
22. UniLect will document detailed election activity throughout the election period. A Ballot Request Log, Un-Deliverable Log, and New Member Additions Log will include all data such as names, addresses, dates of ballot requests, USPS reasons for bad address ballot returns, mailings and re-mailings that will be available for review on Election Day or to the N&E Committee Chair at any time.
23. The deadline for ballots to be received at the Inspector's California post box will be 12:00 p.m. on Friday, November 1, 2024. The deadline for ballots to be received at the Bellingham, WA Post Box will be 12:00 p.m. on Friday, November 1, 2024, and the deadline for ballots to be received at the SVCA Community Ballot Box will be 4:30p.m. on Friday, November 1, 2024. (N&E Committee Chair will contact County Election Officials to retrieve any SVCA ballots accidentally dropped at County Ballot Box by SVCA Security Office.)
24. On Saturday, November 2, 2024, UniLect Staff will be present at SVCA Dance Barn in Bellingham, WA to conduct Voter Sign-In and distribute an Official Ballot to those SVCA eligible members who are present to vote and that have not previously submitted a ballot by mail or drop-off. If a member is ineligible, UniLect Staff will direct to the attending SVCA Staff Member empowered to collect payments. If a member remains not in good standing, UniLect Staff will issue a Budget Only Official Ballot. Polls will open promptly at 9:00a.m. and close at 12:30 p.m., allowing anyone in line by 12:30 p.m. to cast their ballot. If there is a dispute that cannot be resolved, UniLect will have that member cast a Challenged Ballot that will be deposited in the Challenged Ballot Box, for the N&E Committee to make a final ruling on.
25. SVCA Volunteers will be present on Saturday, November 2, 2024, to assist with the removal of secret ballot envelopes from the outer identifying return envelopes and removal of ballots from secret ballot envelopes. UniLect will use its high-speed envelope opener to slice open envelopes. Volunteers will not be involved in any other aspect of the ballot count process.
26. As soon as the polls close, UniLect Staff will begin the tally using its optical scan ballot reader and merge ballots previously submitted with in-person ballots cast.

27. This election will be conducted in accordance with SVCA Bylaws and the SVCA Election Manual (where appropriate) and Federal Election Best Practices. Where there may be any conflicts SVCA Bylaws control.

## **COMPANY PROFILE**

The UniLect Corporation is a nationally recognized leader of superior election management services, equipment and solutions headquartered on the Central California Coast. As an impartial, third-party election services authority, our outstanding team of professional veteran election experts have been serving the needs of election administrators in both the public and private sector with proven, state-of-the-art voting technology and election certifications that stand up to the most intense scrutiny. With over 150 years of combined election expertise and a history of accuracy and integrity second to none, our depth of experience and reputation for providing exemplary elections is unmatched in the marketplace.

Since 1989, UniLect has served well over 13.5 million registered voters, private organization members and homeowners across the United States. UniLect's election experts have been conducting superior elections for over 40 years as representatives, senior management, corporate officers and founders for such election services and products pioneers as IBM, Business Records Corporation (BRC) and Computer Election Services (CES). UniLect's key personnel have conducted and supported elections of all sizes and complexities from small to large elections, to exceptionally large projects such as the City of Chicago and Cook County in which over 5 million registered voters were served.

UniLect is a federally certified provider of election management services and products. Federal certification is our means of providing assurance to our customers that our election products, our systems, and our protocols, have met the very strictest of standards in place for ensuring the best run elections. A UniLect run election provides organizations with the satisfaction and peace of mind that they are engaging a firm that delivers the highest standards in efficiency, accuracy, security, and integrity. We use only proven and best practice voting procedures and processes to ensure the most trustworthy elections possible.

## **UNILECT PROCESS**

UniLect's Optical Scan Paper Balloting Systems use optical mark readers and computer software to tally Voters' ballots electronically.

As soon as available, SVCA will provide UniLect with all ballot information including races, candidate names, the order in which candidates are to appear on the ballot, proposed budget language with financial documents, special bylaw measures and/or assessments and all other documents (Candidate Biographies) to be included on the Official Ballot and the Voter Guide included in the Official Ballot Packet.

UniLect will design, prepare, and print the materials for this mailing including designing the Official Ballot, Voter Instructions, Voter Guide, and all envelopes. UniLect will obtain final authorization for all election materials from the N&E Committee prior to going to print.

**SVCA will provide UniLect with an electronic copy (Excel or other CSV database format) of all members' addresses and identifying information needed to be mailed a ballot. The list will be provided to UniLect using the same format as previous elections.**

UniLect will prepare and mail the Official Ballot Packets to all homeowners according to the list provided by SVCA. Out-bound Mailings will use First-Class Discounted Pre-Sort Postage (or Lettermail Canadian First-Class postage) and the Return Envelope will include UniLect's Business Reply Mail Permit, so the Association only pays postage for those ballots that are returned to be counted. For the Canadian Ballots being returned to the Bellingham, WA Post Box, a pre-paid Canadian International Stamp will be used on all return envelopes.

A complete list of all voting homeowners who participated in the election will be provided in the Final Election File on Election Day.

UniLect's Inspector of Elections California Post Office Box and the Bellingham WA Post Box will be used as the official return addresses for all returned by-mail ballots. Any ballot packets that are returned as undeliverable, UniLect will provide the N&E Committee with an excel spreadsheet of all bad address returns as they come in. As soon as a better address is provided by SVCA's office, a replacement ballot packet will be sent to that member the same day or next business day. Detailed ballot logs showing all activity and all resolutions will be in the Final Election File.

During the election period, should a homeowner spoil, lose or not receive their ballot, UniLect will provide a toll-free phone number (listed in the Voter Instructions included in the Ballot Packet) for homeowners to call and request a duplicate ballot. A detailed Ballot Request Log is provided in the Final Election File.

**The phone number to call for a replacement ballot should be provided to SVCA office staff, #1-866-466-6455.** UniLect will manage by-mail returns to California daily to manage the list of which members have submitted a ballot.

On Friday, November 1, 2024, at 12:00p.m., UniLect will make the final pick up of ballots at the Inspector's California Post Box. All ballots returned with signatures will be scanned to determine name and eligibility. An initial list will be created of all homeowners who participated in the election by-mail and brought to the SVCA Annual Meeting.

### **ELECTION DAY**

UniLect will arrive at SVCA Dance Barn early on Saturday, November 2, 2024, to set-up election equipment (high-speed industrial envelope opener, bar-code readers, Optical Scan Ballot Reading system, and laptops with election software), all unused balloting materials, remaining official ballots, logs, Proof of Mailing, undeliverable and absentee ballots returned by mail and prepare for the Tally. UniLect will scan all Canadian ballot envelopes returned to the Bellingham Post Box and ballot envelopes dropped off at the Community Ballot Box on-site at SVCA, prior to the opening of the polls. The Voter Sign-In Book will then be printed for balloting on-site.

At 9:00 a.m. UniLect and the N&E Committee will Open the Polls and UniLect Staff will sign-in any members who present for in-person voting.

At 10:00 a.m. UniLect will begin the process of opening the Official Ballots submitted by-mail (with the assistance of SVCA volunteers) in a separate room not used for live polling. UniLect will begin by providing all observers, candidates, and officials in attendance with an explanation of each phase of this process and answering any questions to ensure full transparency.

As soon as the polls close and prior to the counting of all eligible Official Ballots, pre-established Election Rules will be in place, which will guide the election and ensure that any issue that arises has an election rule to address it which is uniformly applied. Parameters that govern what is to be considered a Void Ballot will have been pre-determined by the Election Rules/N&E Committee and SVCA Bylaws.

Ballots that have been returned by members who are not in good standing will be set aside in a separate envelope for final N&E Committee Chair rulings. Only votes cast in relation to the budget will be counted for those members determined by N&E Committee to be not in good standing. (These ballots will be overseen separately.)

All eligible return envelopes will be opened and their contents (Secret Ballot Envelope with Official Ballot), removed. The Return Envelopes will be retained for storage. Secret Ballot Envelopes will then be opened, and the Official Ballot will be removed.

At 12:30 p.m. polls will close and preparation for the Annual Meeting will begin.

At 1:00 p.m., UniLect will assist in collecting ballots from any members who have chosen to vote during the Annual Meeting.

Once all polling has ended, UniLect will conduct a Logic and Accuracy Test in full view of all observers to show that the equipment (hardware and software) is counting accurately.

As soon as the last Official Ballot has been processed, preliminary election results will be available and combined with the 'Budget Only' Election Results (if necessary). UniLect Optical Scan Ballot Readers count approximately ninety-five ballots per minute.

At each critical phase of the election process, UniLect provides each observer/candidate with an *Observer Statement* which they are asked to sign. *Observer Statements* state that, in the observer's opinion, a particular part of the process was conducted in an accurate, fair, and transparent manner. While having observers sign these statements does not prevent a member from challenging an election, it significantly assists our clients in cutting down on erroneous, un-merited and sometimes costly challenges for them. (Observer Statements are used for in-person observation only. Remote viewing does not lend itself to observer statements; though the N&E Committee Chair or General Manager present, can sign off as witnesses through each critical stage of the ballot count process.)

All balloting materials will be accounted for at every stage of the process, from printing to mailing to final tabulation. UniLect will keep track of all Official Ballots, Logs, Replacement Ballots, Duplicate Ballots, Void, or Challenged Ballots to be reconciled at the Closing of the Polls for SVCA to keep in storage for the duration mandated by its governing documents. A complete Final Balloting Reconciliation Report is included in the election file provided at the close of the election. At any stage in the election process, observers are welcome.

#### **UNILECT RESPONSIBILITY**

UniLect has reviewed Sudden Valley Community Association's Bylaws, and N&E Election Manual and will review any further election information the Association would like us to upon receipt. All requirements and rules will be rigorously adhered to.

UniLect will require approval by Sudden Valley Community Association's N&E Committee Chair and/or General Manager of all ballot packet materials to ensure all documents are in proper legal order and in accordance with Sudden Valley Community Association obligations.

Any additional meetings (i.e., adjournments or follow-up meetings with the Board of Directors and/or other meetings) not covered within this proposal, will be completed by our election experts as requested and billed at our hourly rate.

#### **SERVICES COST**

The costs of our services are shown in Attachment A.

Thank you for the opportunity to provide this proposal. We look forward to once again having the opportunity to work with Sudden Valley Community Association and its Nominations and Election Committee.

Best Regards,



Catherine Burkhardt  
Director of Election Services

**RFP response relies solely on the information made available with regards to the scope of work requested. UniLect reserves the right to alter this proposal upon a more detailed examination of the work involved.**

#### **CONFIDENTIALITY NOTICE:**

**The information contained in this communication may contain confidential and/or privileged information. It is intended solely for use by recipients authorized to receive it. If you are not the intended recipient you must not use, copy, disclose or take any action based on this proposal/contract or any information herein.**