

"APPROVED" WCA BOARD OF DIRECTORS MEETING MINUTES

October 19, 2015

I. **Call to Order.** President Blain called the meeting to order at 7:01 p.m. Directors present were Doug Flock, Tom Knight, Lubor Mrazek, David Sherman and Neil Straus. Albert Repola was absent. Also present were General Manager Tim Sutherland and Controller Lisa Trabert.

II. Reports/Announcements.

Secretary's Report. Secretary Straus reported that before the meeting, the Board of Directors authorized One Notice of Default and Election to Sell for APN 049-1529-535 and conducted a Rules Violation Hearing for C209. The Board fined the owner \$100 for repeated noise violations and failure to ensure their tenant's adherence to the terms of the WCA Guidelines and Procedures for Assistance Animals for Emotional Support.

Treasurer's Report. General Manager Sutherland reported a favorable operating budget variance of \$63,429 through 9/30/2015. Sutherland also reported an operating fund balance of \$327,709 and a replacement fund balance of \$3,874,796. The full report is available at the WCA office and watergatehoa.com. **Straus moved, and Mrazek seconded, to accept the quarterly review of accounts. The motion was unanimously approved.**

Business arising out of the Treasurer's report. Mrazek distributed the page of the Treasurer's report, 10/19/2015, containing the table titled "Additional Information". The page contained the edits of the following motion. **Mrazek moved and Straus seconded that the Board direct management to include the following two adjustments to the table entitled "Additional Information": that the second last column on the right hand side of the table be labelled "Board Approved" and that the last column be labeled "Present Mgt Forecast". It was further moved that the board direct management to fill in all the associated dates for the next meeting and to continue this practice for future Treasurer's reports. It was further moved that all future projects for Board approval be presented with 1. their Scope, 2. their Budget and 3. their estimated Completion Date. The motion was unanimously approved.**

Manager's Report. General Manager Sutherland yielded his time to Emeryville City Manager and representatives from the Emeryville Police Department who spoke about their ongoing efforts in support of the community.

Controller's Report on Delinquent Assessments. Controller Lisa Trabert reported that as of September 31, 2015, thirteen accounts have been turned over to a collection agency for delinquent assessments. Eight Notices of Default and four Notices of Delinquent Assessment ("Lien") have been recorded against the subjected properties. Among the thirteen delinquent accounts, two accounts were under bankruptcy protection, and four owners are making payments toward ongoing payment plans.

III. **Statements and Requests.** Topics included trash room fire alarm activations, tree trimming, motorcycle thefts, security cameras, a reduction in Airbnb units at Watergate and a request for staff to investigate a way to allow owners to bolt or secure motorcycles to the building parking structure.

IV. New Business.

Records - September 21, 2015 Regular Session Minutes. Straus moved, and Knight seconded, to approve the minutes as submitted. The motion was unanimously approved.

- ❑ **Replacement Fund - Video Surveillance System Partial Replacement.** Flock moved, and Knight seconded, to approve the \$12,977.54 repair quote from VAS bring the system back up to full operations, and an overall project budget of \$18,506.19 which included a 15% contingency and the \$1,071.54 sales tax on the quote but inadvertently omitted from the total project budget spreadsheet. The motion was unanimously approved.

- ❑ **Collections Enforcement - Board Resolution to Record One Notice of Delinquent Assessment.** Secretary Straus read the following resolution:

“Resolved, the Board of Directors (“Board”) for Watergate Community Association authorizes and instructs Allied Trustee Services to Record One Notice of Delinquent Assessments (“Lien”) in the full amount of unpaid assessments, late charges, interest and collection fees and costs against the property bearing Assessor’s Parcel Number 049-1529-120 as authorized by Civil Code Sections 5650 and 5725 if such account have not been reinstated by the Notice of Intent to Lien expiration date.” Straus moved, and Knight seconded, to approve the aforementioned One Notice of Delinquent Assessment. The motion was unanimously approved.

- ❑ **Replacement Fund - Trash Chute Doors’ Replacement.** Straus moved, and Knight seconded, to approve a contract with Chute Systems in the amount of \$50,400, and an overall project budget of \$66,383.64 to be paid for out of the replacement fund. The motion was unanimously approved.

- ❑ **Operating Fund - Monthly Elevator Maintenance Contract Renewal -** Flock moved, and Mrazek seconded, to approve a one-year contract extension for elevator maintenance in the amount of \$4,129 for the period of November 1, 2015 through October 31, 2016. The motion was unanimously approved.

- ❑ **Replacement Fund - Acoustical Engineer Services: Update Flooring Underlayment Options for Unit Owners.** Flock moved, and Knight seconded, to approve a contract with Thornburn and Associates to test flooring underlayment in a typical Watergate unit for a contract amount of \$4,850 and an overall project budget of \$9,010.85 to be paid for out of the replacement fund. Flock, Knight and Mrazek voted for the motion, with Sherman and Straus voting against. The motion was approved.

- ❑ **Replacement Fund - Emergency Repair of Sanitary Sewer (Greenbelt near 7 Commodore Drive):** Fund allocation transfer. Straus moved, and Knight seconded, to authorize a transfer of \$3,875 from the operating fund to the replacement fund. The motion to approve the transfer of funds was unanimous.

- ❑ **New Election Committee Member** -Marylyn Fulrath accepted an invitation to join 2015 WCA Election Committee and her application was placed before the Board. Secretary Straus raised the point that, since her name appeared as an endorser on the literature of the Campaign for Change candidates, her independence might be questioned. He emphasized that her personal honesty was not at issue and that he respected the work she had done for many years as Chairperson of the Architectural Control Committee. **Secretary Straus read the following resolution: Whereas the Watergate elections must not only be conducted in a fair and transparent manner, but in a way that appears to any owner to be fair and transparent.** Straus moved, and Sherman seconded, that anyone who endorses a candidate and is named in that candidate’s election literature be excluded from involvement in election result processing, including assistance to the election inspector. Straus, Sherman and Flock voted for the resolution with Knight against and Mrazek abstaining. The resolution was approved.

V. WCA Committees.

Architectural Control. General Manager Sutherland presented the following unit modification:

- **5 Commodore Drive, B208: 2 Bedroom.** The owner wishes to replace the tub and tile surround. **Straus moved, and Mrazek seconded, to approve the modifications to B208 pending receipt of all building permits and the repair of all discovered. The motion was unanimously approved.**

VI. Upcoming Meetings.

- Executive and Regular Session November 16, 2015

VII. Meeting adjourned at 9:21 p.m.

Approved by: WCA Board of Directors,

/s/ Nancy Girouard, Secretary
October 16, 2015