

"APPROVED" WCA BOARD OF DIRECTORS MEETING MINUTES

OCTOBER 21, 2013

I. **Call to Order.** President Robert C. Blain called the meeting to order at 7:00 p.m. Directors present were Ron Dempster, Doug Flock, Tom Knight, Lubor Mrazek and Albert Repola. Neil Straus was absent. Also present were General Manager Tim Sutherland, Assistant General Manager Jeff Kiel and Controller Lisa Trabert.

II. Reports/Announcements.

- **Secretary's Report.** No business to report.
- **Treasurer's Report.** Treasurer Repola reported a favorable operating budget variance of \$57,302 through 9/30/2013. Repola also reported an operating fund balance of \$289,405, and a replacement fund balance of \$6,059,548. The full report is available at the WCA office and watergatehoa.com.
- **Manager's Report.** General Manager Sutherland presented the following information:

The Emeryville Transit Authority ("TMA") Board voted on October 17, 2013 to not reinstate the two bus stops west of Watergate Towers citing safety concerns as a result of the new Powell Street sidewalk. The Emery-Go-Round is funded by business, and some residential units that are part of a Property Based Business Improvement District ("PBID") which members pay assessments for the operation of the shuttle. Watergate does not belong in the PBID and has no standing with the TMA as the Association, or unit owners are not members of the PBID or TMA. Watergate regular and special assessments can only be used for common area operations and maintenance, and not for external purposes such as bus service costs or TMA membership assessments. Even if this were permitted by the governing documents, the cost to join the TMA would be almost \$160,000 annually, and would require 313 owners to approve each year as well. There will be a City Council meeting on Tuesday, December 3, 2013 at 7 pm to discuss this issue.

III. **Statements and Requests.** Many residents spoke up about their unhappiness about the way the TMA Board handled the decision to not reinstate bus service to Watergate. The decision was made without notice and input from the users of the shuttle. Many residents deemed the abrupt decision callous and uncaring without regard or concern for homebound seniors and others that have depended on this vital transportation link for over the past 17 years.

IV. Consent Calendar.

- **Approved by unanimous general consent:**
 - **September 23, 2013 Regular Session Minutes**
 - **Fidelity & Crime Insurance Renewal Extension to 3/31/2014 for \$1,363.00**

V. New Business.

- **Board Resolution to Record Two Notices of Delinquent Assessments.** President Blain read the following resolution:

"Resolved, the Board of Directors ("Board") for Watergate Community Association authorizes and instructs Allied Trustee Services to Record Two Notices of Delinquent Assessments ("Lien") in the full amount of unpaid assessments, late charges, interest and collection fees and costs against the properties bearing Assessor's Parcel Number 049-1528-594 and 049-1529-512 as authorized by Civil Code Sections 1367.1 and 1367.4 if such accounts have not been reinstated by the Notice of Intent to Lien expiration dates." Knight moved, and Mrazek seconded, to approve the aforementioned Two Notices of Delinquent Assessments. The motion was unanimously approved.

- **Anchor Club Spa Heater Replacement.** Assistant General Manager Kiel presented a proposal for a new Anchor spa pool heater. **Knight moved, and Mrazek seconded, to approve a contract with The Pool Doctor in the amount of \$4,618.75, and an overall project budget of \$5100.00 to be paid for out of the replacement fund. The motion was unanimously approved.**
- **Clipper Club Pool Heater Heat Exchanger Replacement.** Assistant General Manager Kiel presented a proposal to replace the heat exchanger on the Clipper Club pool heater. **Knight moved, and Mrazek seconded, to approve a contract with ACME Watergate Heating Company for a contract amount of \$7,770.85 to be paid for out of the replacement fund. The motion was unanimously approved.**
- **Approval of Additional Election Committee Members.** Janet Lather and Virginia McNeill have agreed to serve on the WCA Election Committee. **Knight moved, and Mrazek seconded, to approve Janet Lather and Virginia McNeill as members of the WCA Election Committee. The motion was unanimously approved.**

VI. WCA Committees.

- **Architectural Control.** Assistant General Manager Jeff Kiel presented the following committee recommendations:
 - **8 Admiral Drive, A125: 2 Bedroom:** The owner wishes to remove all sheetrock and wall throughout under the direction and supervision of a structural engineer. Report was included in application. **Knight moved, and Repola seconded, to approve the modifications to unit A125 pending receipt of all necessary building permits. The motion was unanimously approved.**
 - **6 Admiral Drive, A286: Studio:** The owner wishes to replace the existing tub and tiled surround with a fiberglass walk-in shower insert, replace the stove hood fan, install radiant heating throughout the unit, erect a wall between the sleeping alcove and living area, install five pocket doors, and relocate the front hall closet wall as per the diagrams. **Knight moved, and Repola seconded, to approve the modifications to unit A286 pending receipt of all necessary building permits and verification from a structural engineer that the radiant heat flooring system would not affect the structural integrity of the post-tension cables in the concrete slab below. The motion was unanimously approved.**
 - **7 Captain Drive, C205: 1 Bedroom:** The soon-to-be owner of the unit proposes to install recessed lighting in the living and bedrooms, enlarge the bedroom by removing the wall that separates it from the walk-in closet, and replace part of a wall between the bedroom and bathroom with a curved glass wall (presumably glass brick). **Knight moved, and Repola seconded, to approve modifications to C205 (the recessed lighting only as no structural report was received) pending verification of ownership, and receipt of all necessary building permits. The motion was unanimously approved.**
- **Landscape Committee.** The Board of Directors confirmed receipt of the LSC minutes.

VII. Upcoming Meetings.

- Regular and Executive Session – November 18, 2013

VIII. Meeting adjourned at 8:57 p.m.

Respectfully submitted,

/s/ Neil Straus, Secretary