

“APPROVED” WCA BOARD OF DIRECTORS MEETING MINUTES

April 23, 2012

I. **Call to Order.** President Robert C. Blain called the meeting to order at 7:00 p.m. Directors present were Jean Goldman, Murray Kane, Tom Knight, Lubor Mrazek, Albert Repola and Neil Straus. Also present were General Manager Tim Sutherland, Controller Lisa Trabert, Assistant General Manager Jeff Kiel and 14 residents.

II. Reports/Announcements.

□ **Secretary's Report.** Secretary Straus reported on action taken by the Board of Directors since the March 19, 2012 Regular Session:

➤ After the March 19, 2012 Regular Session, the Board authorized A Notice of Default and Election to Sell for APN 049-1528-005. The Board met on April 9, 2012 with the Finance Committee and WCA management to review and discuss the 2012/2013 WCA Reserve Study. Prior to the Regular Session, the Board authorized A Notice of Default and Election to sell for APN 049-1528-250, and conducted a Rules Violation Hearing for unit B226. The Board fined the owner of B226 \$200 for repeated verified noise violations. The Board also discussed legal issues.

□ **Treasurer's Report.** Treasurer Kane reported a favorable operating budget variance of \$256,798 through 3/31/2012. Kane also reported an Operating Fund balance of \$293,695 and a Replacement Fund balance of \$7,058,503. The full report is available at the WCA office.

□ **Manager's Report.** General Manager Sutherland reported that the 2012/2013 budget request calls for a 1% annual assessment increase which is well below the 3% five year plan goal, and announced the tentative scheduling for sprinklers and interior renovations per building. The presentation is available on the home page of the WCA website.

III. Statements and Requests.

□ Questions and statements about the community rule regarding no guest parking during construction projects, multiple concerns about some residents' lack of proper pool etiquette, and one concern about the need to purchase new gym equipment.

IV. Consent Calendar.

□ **Items Approved by Unanimous General Consent:**

➤ February 27, 2012 Regular Session Minutes – As submitted.

➤ **Pulled item – ThyssenKrup Elevator Maintenance Contract.** General Manager Sutherland updated the request for the annual elevator contract extension by reducing the term from the original one year extension to six months. **Straus moved, and Knight seconded, to approve the contract extension with ThyssenKrup Elevator in the amount of \$3,999 per month for the period May 1, 2012 through October 31, 2012. The motion to approve was unanimous.**

V. Old Business.

□ **Gym Equipment Replacement Request.** Recreation Manager Leah Hull resubmitted the gym equipment request made at the February 27, 2012 Board of Directors meeting. The new request includes three Hoist weight machines, and two Stairmaster Stair Climber 5 Steppers from Opti-fit. **Straus moved, and Knight seconded, to approve \$16,245.95 from the Replacement Fund for the gym equipment to be purchased from Opti-fit. Straus, Knight, Goldman, Kane and Repola, voted for the motion, with Mrazek voting against. The motion was approved.**

VI. New Business. The following items were presented for Board review and consideration:

- **Board Resolution to Record Two Notices of Delinquent Assessments.** Secretary Straus 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 Numbers 049-1528-487, and 049-1529-367 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 date.” Straus moved, and Knight seconded, to approve the aforementioned Notices of Delinquent Assessments. The motion to approve was unanimous.

- **2012/2013 Pro Forma Budget and Disclosures.** Straus moved that the Board of Directors approve the 2012/2013 Pro Forma Budget with a regular assessment level of \$6,445,955, which equates to a 1.0% increase. Allocation to the Replacement Fund will be \$2,019,203 and the balance of \$4,426,752 goes to the Operating Fund. Knight seconded the motion. The motion to approve was unanimous. Straus moved that the Board of Directors approve the 2012/2013 Collection Enforcement Policy, Schedule of Fines and Fees and Internal Dispute Resolution, and continue the use of the five-year financial funding planning and analysis tool as a standard operating policy for the Association. Knight seconded the motion. The motion to approve was unanimous.

VII. WCA Committees.

- **Architectural Control.** Assistant General Manager Jeff Kiel presented the following:
 - **1 Captain Drive, D251: 1 Bedroom unit.** The owners have requested approval for the installation of vinyl flooring in the entry and hallway, replacement of shower surround and tub in favor of a walk-in shower, to widen the bathroom doorway from 32” to 36”, and to relocate a light switch next to the bathroom door. The office has already given approval for installation of the flooring using an approved underlayment. Since this work is being done through an accessibility grant through the City of Emeryville, a structural engineer report will be obtained if it is required by the Building Dept. along with all other required permits. The committee then recommends that the Board approve this application. **Straus moved, and Knight seconded, to approve the modifications to unit D251 pending receipt of all necessary permits and reports. The motion to approve was unanimous.**
 - **9 Commodore Drive, A314: 2 Bedroom unit.** Owner has requested approval for the removal of the existing bathtub in his “front” bathroom in favor of a hydrotherapy walk-in bathtub. Since the bathroom abuts the common area hallway, the committee recommends that the Board approve the proposed work with applicable permits from the City of Emeryville Building Dept., including an electrical permit for the required 20 amp dedicated circuit. The increased plumbing connections on this type of tub increases the possibility of water leaks. The owner should be aware that any water leaks originating in his unit will be his responsibility and that if he is not already, he should be properly insured against that possibility. **Straus moved, and Knight seconded, to approve the modifications to unit A314 pending receipt of all necessary permits. The motion to approve was unanimous.**
- **Landscape Committee.** Chair Sam Foushee presented an early draft of a landscaping plan for the south side of “B” building along Powell. It was generally agreed that the committee should look at actual trees proposed as part of the plan development process.

VIII. Upcoming Meetings.

- Regular and Executive Session – May 21, 2012

IX. Meeting adjourned at 7:58 p.m. at which time the Board went into Executive Session.

Respectfully submitted,

/s/ Neil Straus, Secretary