

**Watergate Community Association  
Board of Directors  
May 18, 2009  
Regular Session  
"Approved"**

- I. Call to Order.** President Robert C. Blain called the meeting to order at 7:02 p.m. Directors present were Judith Choate, Max Weintraub and Ariane Zand. Also present were General Manager Tim Sutherland, Controller Lisa Trabert, Assistant General Manager Jeff Kiel and six residents.
- II. Approval of Minutes.** Weintraub moved, and Zand seconded, to approve the April 20, 2009 Regular Session minutes with corrections. The motion to approve was unanimous.
- III. Secretary's Report.** General Manager Sutherland reported the following business of the Board conducted since the April 20, 2009 Regular Session:
- ❑ The Board conducted a joint meeting with CARS on April 28, 2009 to view preliminary design concepts for the common area renovations and signs project.
  - ❑ The Board met in an Executive Session for a rules violation hearing for the owner of D368. The Board passed a special individual assessment in the amount of \$5,979.92 for costs incurred by the Association to return the unit to a habitable condition after it was declared "Unsafe: Do Not Enter" by the City of Emeryville.
  - ❑ The Board discussed personnel matters and labor contracts.
  - ❑ The Board also approved a Resolution to Record Two Notices of Default and Election to Sell for APN #049-1528-239 and APN #049-1528-398
- IV. Treasurer's Report.** President Blain reported a favorable operating budget variance of \$200,056 through 4/30/2009. Blain also reported an operating fund balance of \$155,679 and replacement fund balance of \$2,908,212. The full report is available at the WCA office and website.
- V. Manager's Report.** General Manager Sutherland reported the following:
- ❑ **Utilities** - Water, natural gas, and electric usage remain lower than the comparative ten-month period last year.
  - ❑ **Staffing** - Dan Dyer has been hired as the new Director of Security. Dan worked with the City of Emeryville for 30 years with his last position as the Assistant Fire Chief.
- VI. Old Business.**
- None.

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**VII. New Business.**

General Manager Sutherland presented the following items for Board consideration:

❑ **Board Resolution to Record Four Notices of Delinquent Assessments.**

➤ Vice-President Zand read the following resolution:

**"Resolved, the Board of Directors ("Board") for Watergate Community Association authorizes and instructs Allied Trustee Services to record a Notice of Delinquent Assessment in the full amount of unpaid assessments, late charges, interest and collection fees and costs against the following four properties bearing Assessors Parcel Numbers 049-1528-295, 049-1528-560, 049-1529-443, and 049-1529-445 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." Zand moved, and Weintraub seconded, to approve the aforementioned four Notices of Delinquent Assessments. The motion to approve was unanimous.**

❑ **Boardwalk/Flagpole Design Services Change Order.** An additional \$7,200 is needed for additional design work and the seven additional railing mock-ups constructed as part of the six-month community input into the rail selection. Additional design work is needed for the railings and flagpole gazebo area on the boardwalk to meet current codes. **Choate moved and Zand seconded to approve an additional \$7,200 from reserves to the previously approved design project budget of \$22,185. The motion to approve was unanimous.**

❑ **Watergate Sales and Leasing 1-Year Contract Extension.** Request to extend the current agreement an additional year to May 23, 2009. **Zand moved, and Weintraub seconded, to approve the one-year contract extension with Watergate Sales and Leasing. The motion to approve was unanimous.**

❑ **Teamsters Local #0665 Contract Extension Agreement.** Request to extend the current agreement on month-to-month basis until a new three-year agreement is ratified by WCA and Teamsters local #0655. **Weintraub moved, and Zand seconded, to approve the month-to-month contract extension with Teamsters Local #665 which is the bargaining unit for the Watergate security guards. The motion to approve was unanimous.**

**VIII. WCA Committees.**

❑ **Architectural Control Committee.** Chair Judi Oser reported one unit modification for May 2009:

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

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- **F499** - Work requiring Board approval includes replacing tub with a walk in shower. **Zand moved, and Weintraub seconded, to approve the modification to unit F499 pending receipt of all necessary building permits. The motion to approve was unanimous.**

- ❑ **Landscape Committee.** Chair Sam Foushee reported that the committee recommends approval of the planting scheme designed by staff horticultural Heebner for the renovation of the landscape area at 4-6 Admiral and 7 Commodore. **Choate moved, and Weintraub seconded, to authorize \$4,174 for plant materials and equipment rental to implement the landscaping renovations at 4-6 Admiral and 7 Commodore. Choate and Weintraub voted for the motion with Zand opposed. The motion was approved.**
- ❑ **Common Area Renovations and Signs.** Co-Chair Jean Goldman reported that the committee was not prepared to make a recommendation to the Board as to which design firm should be selected. A subcommittee is working on additional questions and evaluation techniques to present to the full CARS committee. The committee will report their findings at the June 22, 2009 Board of Directors meeting.
- ❑ **Renewable Energy Committee.** President Blain reports that the committee discussed passive solar, wind energy and photovoltaic systems.

**IX. Statements and Requests.** An owner spoke in favor of a master-landscaping plan that includes a tree replacement policy. The owner also spoke about the importance of the professionalism and process exhibited by the design firm team and less on the graphic renderings when contemplating which design firm to select.

**X. Upcoming Meetings**

- ❑ Executive and Regular Session - June 22, 2009

**XI.** The meeting adjourned at 8:07 p.m.

Respectfully submitted,

/s/ Neil Straus, Secretary