

"APPROVED" WCA BOARD OF DIRECTORS MEETING MINUTES

July 18, 2011

- I. **Call to Order.** President Robert C. Blain called the meeting to order at 7:00 p.m. Directors present were, Mike Cartmell, Judith Choate, Jean Goldman, Murray Kane, Tom Knight and Neil Straus. Also present were General Manager Tim Sutherland, Controller Lisa Trabert, Construction Manager Gus Ferriols, Assistant General Manager Jeff Kiel and three residents.
- II. **Reports/Announcements.**
- **Secretary's Report.** Secretary Straus reported on action taken by the Board of Directors since the June 20, 2011 Regular Session:
 - Prior to the Regular Session meeting, **the Board of Directors voted to authorize a Resolution to Record a Notice of Default and Election to Sell for APN #049-1529-413.**
 - **Treasurer's Report.** Treasurer Kane reported a favorable operating budget variance of \$135,881 through 6/30/2011. Kane also reported an operating fund balance of \$137,969 and a replacement fund balance of \$6,042,697. The full report is available at the WCA office.
 - **Manager's Report.** General Manager Sutherland reported the following:
 - Based off the unaudited financial information available today, the WCA is projected to end up the fiscal year ending June 30, 2011 with a \$125,000 carryover into the next fiscal year.
 - Natural gas usage for the year was down 1.2%; electric use was up .7%; and water usage for the year was down 2 gallons to 87 gallons per unit per day.
 - New carpet tile is now installed in the prototype area and Watergate office. Feedback on the new carpet has been very positive. Huntsman has completed coordinating the accent and wall colors a bit to better reflect the new carpet selection. The "mini-model" on the 3rd floor of "E" building between 6 and 8 Captain is available for viewing.
 - Neptune Fire Protection, Inc. has submitted their plans to the City of Emeryville for review. The review process should take a few weeks. The goal is to begin work November 2011.
- III. **Statements and Requests.**
- None.
- IV. **Consent Calendar.**
- **Items Approved by Unanimous General Consent:**
 - **June 20, 2011 Board Meeting Minutes**
 - **Sprint/Nextel Communications Site Lease Agreement through September 21, 2012 – no cost to WCA**
 - **Competitive Bids Received on Directors and Officer's Liability Coverage – CNA Insurance selected for premium of \$3,830 for \$1 million in coverage with a \$10,000 per occurrence deductible through 8/12/2012**
- V. **Old Business.**
- **Common Area Key Access.** Request to re-key the 6 bike rooms, and surf board room with a programmable key made by Mul-T-Lock and installed by Reed Brothers Security. **Straus moved, and Kane seconded, to award the contract to Reed Brothers Security in the amount of \$24,814.59, and an overall project budget of \$27,000 to be funded out of the replacement fund. The motion to approve was unanimous.**

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 in the full amount of unpaid assessments, late charges, interest and collection fees and costs against the properties bearing Assessor’s Parcel Number 049-1528-443 and 049-1529-243 as authorized by Civil Code Sections 1367.1 and 1367.4 if these accounts have not been reinstated by the Notice of Intent to Lien expiration date.” Straus moved, and Kane seconded, to approve the aforementioned Two Notices of Delinquent Assessments. The motion to approve was unanimous.

- **Clipper Club Pool/Spa and Pool/Spa Concrete Deck Repair and Replacement.** Construction Manager Gus Ferriols presented competitive bids for the pool/spa and associated concrete deck replacement. Gus recommended Aqua Gunitite for the pool/spa and the pool/spa deck replacement. The scheduled start date is late September in order to minimize the days lost to rain November 2011. **Straus moved, and Knight seconded, to award the contract to Aqua Gunitite in the amount of \$193,109, and an overall project budget of \$245,420 and authorize a per unit cost of \$125 per ton for additional gravel fill beyond the base amount included in the bid. All costs are to be funded from the replacement fund. The motion to approve was unanimous.**
- **Recover 4 Anchor Lobby Sofa.** Recover torn and stained lobby sofa at 4 Anchor Drive. **Straus moved, and Kane seconded, to award the work to JC Upholstery in the amount of \$3,730.75, and an overall project budget of \$4,000 to be funded out of the replacement fund. The motion to approve was unanimous.**
- **Fire Suppression (and Lighting) Project Request #2.** The Board of Directors approved the Fire Suppression Project **Request #1** at the March 21, 2011 Board of Directors meeting. That approval consisted of the following: **Neptune Fire Systems, Inc.** as the fire suppression design build contractor for a base contract amount of **\$1,264,500** and their schedule of values: Unit cost - Leak repair per valve - \$550; Unit cost - Coupling replacement - \$180; Unit cost - Sprinkler head - \$160; Unit cost - Concealed heads - \$180; and General Conditions - **Legal services and contract services for \$3,219. Total Request #1 = \$1,267,719 – Approved 3/21/2011.**

Construction Manager Gus Ferriols presented reams of competitive bid data on the Watergate Fire Suppression (and Lighting) Project Request #2. The Board discussed at length the bids and project details. Straus moved, and Knight seconded, to approve the following vendors, contracts and budget allocations totaling \$1,965,746 to be funded out of the replacement fund:

- General Conditions - **Management/Security and Admin and Legal for \$391,500**
- Asbestos Abatement Construction - **PW Stephens for \$364,276**
- Asbestos Air Monitoring and Management - **Benchmark Environmental for \$191,433**
- Plumbing drains for Fire Suppression - **Giant Plumbing for \$52,500**
- Metal Soffit Enclosure for Fire Sprinklers - **All Air Mechanical for \$647,018**
- Paint Soffit Budget Allotment - **\$66,000**
- Budget Allocation for **Permits and Modify Duct Venting Budget of \$17,740**
- Fire Alarm Smoke Detector relocation (for soffit) and New Fire Suppression Sprinkler Module Devices - **Chubb for \$225,279**
- Budget Allocation for **Mapping and Troubleshooting - \$10,000**

The motion to approve Request #2 was unanimous.

Sutherland noted that the upcoming (projected) Request #3 will include lighting and overall project contingency for a total (projected) request of \$1,818,948 for a total (projected) Fire Suppression (and Lighting) budget of \$5,052,413.

- **Annual Fire Alarm Monitoring and Device Testing.** Request to continue the existing agreements with UTC/Chubb for another year through 6/30/2012 in the amounts of \$600 for daily monitoring, and \$14,484 for device testing. The pricing for these services are unchanged. **Straus moved, and Knight seconded, to award the contract proposals for monitoring and testing in the amounts proposed with no change in pricing through June 30, 2012 to be funded out of the operating fund. The motion to approve was unanimous.**

VII. WCA Committees.

- **Landscape Committee.** Chair Sam Foushee presented the following:
 - **Tree Removals and Replacements.** Request to remove dying olive trees #17 and #23 in the D building and authorize their replacement with two "Swan Hill" fruitless olives at \$250 each. **Straus moved, and Kane seconded to authorize the removal of two dying olive trees #17 and #23, and authorize fund of \$500 for a total of two replacement "Swan Hill" olive trees to be funded out of the replacement fund. The motion to approve was unanimous.**
 - **Survey Results for Topping of Tree #354.** The 14 respondents were evenly split between topping the tree and removing the tree. The committee voted 6 to 1 to top the tree, with the stipulation that the committee will develop a plan for removal and replacement within the coming year so it does not have to be topped again. **Straus moved, and Knight seconded, to accept the committee's recommendations to top the tree. The motion to approve was unanimous.**

VIII. Upcoming Meetings.

- Executive and Regular Session – July 18, 2011
- Executive and Regular Session – August 22, 2011

IX. Meeting adjourned at 8:01 p.m. and the Board went into Executive Session.

Respectfully submitted,

/s/ Neil Straus, Secretary