

Don's Notes of Board Meeting of June 20, 2007

Members Present: Marilyn Helgeson, Jason Mitchell, Mory Bonakdar, Richard Jark, Speedy Watson

Members Absent: (None)

Management Company Reps. Present: Nataliee Ross, Valerie Cuonzo

Others present: Dave Taylor or Taylor Tennis Courts, Jim Vanderwilt of AWS Consultants, Inc.

The meeting was called to order at 07:21 p.m. by Speedy Watson, President

Executive Session: Speedy reported that they discussed legal, water intrusion and disciplinary matters at the Executive Session today.

Dave Taylor of Taylor Tennis Courts Inc. made a presentation on repairs needed on our tennis courts. The West court has its rebar reinforcements too high and close to the surface of the slab and problems caused by that defect are making it hard to play and possibly dangerous for players. His firm has resurfaced our courts before. The solution to this problem is to rebuild the court. Their proposal is for a concrete overlay making one court higher than the other court to save \$10-15 thousand that it would cost to remove the old West court and rebuild it. His solution is to make a base of sand and reinforced concrete overlay over the old West court, to remove and re-pour concrete for the sidewalk on the West of the court to meet the new level of restored West court. As to the East court he proposes to water blast the East court and re-surface that one. He spoke about 'post tension' cabling the West slab and provide 'slip sheets' to keep the courts together, with access to the tensioning cables. The proposal included a 1-year warranty. Again, this is an alternative to pulling out old slab to save money. Repairs to the fence will be done using redwood form boards. His estimate for the repair work on the West court is \$48,300. The resurface overlay of the East court would bring the total to about \$50,000, including the water blast and resurface of the East court.

His investigation found that the West tennis court has cracking from rebar being too close to the surface of the 5" thick West court slab. Estimated life expectancy of the repaired court is indefinite. It could last 8-10 years. The Board thanked Dave for his time and presentation.

Jim Vanderwilt with AWS Consultants Inc. made a presentation on his company's services to evaluate and help with roofing jobs. They don't install although they are licensed to do so. They don't sell roofing materials so they don't have any conflicts.

The first step by their firm was to survey and make an evaluation, which was done last spring. They reported to the Board who prioritized jobs for re-roofing. Our roof's problems are largely with standing water that causes faster deterioration of our roofs, which in turn is causing extra weight on our roofs. There are a lot of locations on our roofs with softening of the under laying materials.

The second step in their service is product selection for the re-roofing. There are different materials available, different warranties available and different fire ratings. They surveyed them and reported to our Board their recommendations. Products were selected and they included 'built-up', hot tar which is a common commodity and for which there is a lot of competition, better pricing and more contractors to bid on the work. Our roof's' problems with standing water need modified rubber cap sheet with greater depth (called a hybrid roof). Their investigation and report specified slopes to be built where water stands (ponding) to make it run to the drains.

The third step of their service is the bid process. Their company put together bid specifications to correct our roofs' problems, so that once they are in place the new roofs can be sustained, given annual or more frequent inspections, to determine when and whether we need to add additional layers in time. At those times it will not require having to remove the entire roofing again as is being done this time. This should result in a reduced cost per year. Also in the bid specifications,

are to be 10, 15 and 20 year roofs. Any system like this permits lower overall cost. They only invite pre-qualified contractors that they have screened for credit, and have visited prior work done by the respective contractor some years ago to see how it holds up. They had about a dozen in here to look to see if they wanted to bid. They were all given the same specifications. The firm completed that process, bids were submitted and presented to the Board ready for it to review and narrow down the number to nine contractors. The recommend list should be further reduced to 3 or 4 contractors and then they will have the Board meet and interview them. It is also to finally give the respective contractor a chance to pitch in and tell why they are the best deal for the Association. Rich noticed some contractors included a firm's profile that he found helpful. The bids obtained so far range from \$704,000 to \$1,900,000 for buildings 7 (576), 6 (412) and 4 (564).

Jim's firm also provides quality assurance during the re-roofing construction to see that the contractor has the required insurance, the necessary permits, to verify wood replacement and not charging for things not required to be replaced. It verifies that the right number of layers are put on. The scheduling of verification varies. It may require a full time verifier.

Noelle asked about protection from heat. The new roof will have a white reflective coat with energy star rating.

Shelly asked if there is a total weight limit or total number of layers required by law. Jim said the plans are to remove the existing roof, rather than to add new layers, and to start over so we can see if the under laying structure is damaged. The laws vary generally. Some states won't allow putting more than two layers on a roof. Our proposed new roofs are designed with better sloping to reduce 'ponding' of water. The new roofs will still require annual or more frequent inspections. One reason for removing the roofs is to inspect for termites. Otherwise we could have just applied a liquid layer over present roof.

Some contractors have 'Open roof' exclusions in their insurance. That would disqualify that contractor from bidding on our work. No 'exclusion of homeowners associations' provisions in their insurance policies are allowed and contractors having those insurance exclusions will not be allowed to bid either.

Dave Page asked, "What is the planned project schedule?" "Also, what inconvenience will there be to residents?" Jim reported that re-roofing is dirty, messy and smelly. Also it requires some work around our air conditioners so they might be down a day or so, but notification will be given to homeowners. Installing new roofs requires some bouncing going on so residents will have to watch for hanging stuff in their units that might be upset. There could be some nail popping. The cost to fix (probably less than the insurance deductibles) will initially be paid by association and then passed on in association assessments, according to Rich Jark.

Rich said the criteria for this project were designed to obtain the lowest cost per year, and as the most economical for a 20-year roof.

In response to a question, Jim said the other four buildings are coming up within a year for requiring re-roofing. Mory asked if the bids include building 'crickets' (built-up areas where there was previous ponding). Yes was the answer.

Noelle asked if Jim will be in on the interviews with the contractors and he said he would be available for that and if the Board agreed.

Jim finished his presentation at 08:01 p.m. Speedy said he would be in touch with Board members about proceeding with the next re-roofing step.

The Board then went back to the meeting agenda to approval of the minutes.

Minutes for 5-22-2007: Speedy time adjourned was 9:39 p.m. ~~"Voiced objection"~~ Speedy (on balcony rules) questioned whether they were ready to go out to membership in final draft form as he still saw some items needing corrections. Mory moved to correct these minutes as amended. Rich seconded it. It was approved with Marilyn abstaining.

Minutes of ~~April 18~~ May 16, 2007: Executive Session matters discussed. Procedure Guard will be called and be removed. Committee reports #3, change 'formal' to 'conceptual' plan. Insurance p. 7 No invoice yet. Recommended payment for services. Insurance 2nd par. change 'individual' to 'earthquake both Association and individual'. It, (the "Five Questions" flyer, should go out tomorrow, according to Valerie. 'Bids' not 'specification' for windows. 'Made a motion' should be 'moved'. P.8. Rich moved to approve these minutes as amended, Jason seconded it, and it passed unanimously.

Minutes of December 4, 2007: On page 10, item C upgrade for contract to include contractor's name, Advantage Deck Coating. Rich moved to approve, Jason seconded. Mory asked if these actions by the Board had been done. Yes, they have been done. The motion was approved with Marilyn abstaining.

Homeowners Forum

Ward Johnson - Residents aren't allowed to market services in Clubhouse or on bulletin boards. Mory moved to permit Ward to advertise, Marilyn 2nd, Mory amended to 3x5 in every lobby except commercial. Motion failed. Mory made another motion to give Ward authority to place ad on bulletin boards. This motion failed also.

Peggy: What is number of official violations of hard surface flooring? What are the results of survey on the policy of other high end condos. Speedy reported from his experience as a broker that **in units built as condos, CC&R's generally do not allow for hard surface flooring, but that the newly built condos have better acoustics and sound proofing construction allowing for hardwood floors. 90% or more say no hard surface flooring.** He did not do a survey of other condos.

Noelle: What are the results of sound engineer's study? He has not been here yet. Noelle **stated that she** ~~intimated people~~ felt threatened to respond to the **hard surface flooring mailer survey** sent with the last newsletter.

Jessica: - Report parking spaces under balcony hanging over parking spaces have people throwing things from balcony. People have also been found to be climbing on cars to gain access to the balcony. She asked if we can we put a cover over to protect cars from things like that?

Mary: - She found that when she last rented or used the clubhouse the stereo did not work. Clubhouse users must bring their own equipment or hire a DJ. She reported that there used to be directions posted in the refrigerator room how to adjust the air conditioner. Now they are not posted on how to operate air conditioner but should ~~to~~ be. The clubhouse users need air conditioning, need the stereo, and there used to be trash bags provided for the users to carry out their garbage. She believes clubhouse users are entitled to have these things. **Nataliee** reported that she went to Fuji. It was reported that the posting for use of the air conditioner was prior to this current system being installed. **Nataliee** reported that she didn't know stereo was not working. Speedy reported that the stereo was working for the pot lucks we had recently. Mary says users need to have air conditioning and there should be directions on how to work it. Speedy says he doesn't think it is Associations responsibility to provide trash bags. Nataliee says Fuji complained about people walking off with the supply of trash bags, **paper towels, soap and toilet paper.**

Shelley: - For the future, how do we make sure people have access to the air conditioning and heating. Speedy said we will get a more user friendly thermostat.

Management Report –

Valerie wanted it put in the minutes today that transfer of \$74,991.98 from reserves is required to pay for office furniture, AMTECK elevator repairs, Taylor report and Konica copier and digital archive system.

Valerie also requested the Board to provide two signatures for the reserve down payment for Security Management for 3-gates and for the electric car repairs. \$2,694.00.

Committee Reports

Don was asked to read the recommendations of the Architectural Committee (see written recommendations attached).

#1 The "Committee recommends the Board have the elevator maintenance company put 2 fluorescent fixtures each 24 inches in all elevators. And also to replace ceiling grill panel (some are broken and or missing) with opaque panels." The Board discussed bids obtain already from our vendor were too high and so we need more bids from other than current vendor. Tabled

#2 The "Committee recommends the Board obtain a legal opinion as to the ramifications of the Disabilities Act as it pertains to any proposal the Association is presented with to alter the steps in the garage of building 412." Rich made motion to get legal opinion and to ask whether making changes to one building requires the Association to make the changes to all buildings. Jason seconded the motion. All were in favor.

#3 The "Committee recommends the Board extend the moratorium on installation of hard surface flooring on the 2nd and 3rd floor units until the end of December 2007, when the issue can be voted on by the membership at the annual meeting. (If the Board adopts this recommendation it will require 30-day notice and publication as a proposed rule change and subsequent adoption as a rule thereafter with additional publication to the general membership.) " Rich says it can't relegate this to the homeowners, it is up to the board to make the decision. Rich says it is okay to get poll but it can't be binding. Rich says it is okay to extend the moratorium. Marilyn expressed her concerned with hallways and wants the sound engineer to test the hallways as to sound. Rich so moved as to first sentence to extend the moratorium on installation of hard surface flooring on 2nd and 3rd floor units until the end of December. It was seconded by Speedy.

Marilyn wants to hear from Peggy her comment on deferring flooring issue. Peggy said she thinks we should make a decision. Noelle repeated that she felt threatened by letter asking for opinions from members because the Board hasn't handled complaints well. There is noise from below and that has not been addressed and there is a lot of noise from hall and that has not been addressed. It was reported that the sound engineer **is** to take tests on six locations. Noelle asked, "Who wants to go into another person's apartment." Speedy ~~says the Association got~~ **said he received** 30 or 40 responses **to the recent mailer on hard surface flooring**, most of which want to prohibit hard surface flooring. He said they were 3 to 1 in favor of prohibiting hard surface flooring. Since we still need the sound engineer's report we are not yet ready to make a decision. Anthony, as former board member, agreed the Board can't make a decision because we need legal steps completed and so the moratorium should be extended. Jessica asked, "Do we know exactly how many and whether most of the responses of complaints are from people below units with hard surface flooring.

Ms West asked Margaret to respond to the meeting and she said her neighbor paid \$25,000 to try to sound proof first floor and it did not work. Noelle said her neighbor Chris tried it too.

Mary who said she had been on the Board for five years, and had no complaints during that time from hardwood floors.

The vote was taken on extending the moratorium until such time as we have sufficient data to formulate a policy regarding it. Marilyn seconded it. Mory and Jason opposed and the measure passed.

#4 The "committee recommends the Board refer to the Governing Documents Committee the proposed Architectural Approval form because it involves rule changes." It was not referred to the Governing Documents Committee. Instead the Board referred it back to the Architectural Committee.

New Business

C. Resident Move-Out Report/Photos: Nataliee received complaints, took pictures in lobby, laundry room vestibule and garage of trash blocking traffic. Trash room – The moving tenants threw out their sofa that required disassembling by our staff. She has a homeowner here to verify the complaint. The ownership of the trash was tied to a specific unit by a FOB found in the sofa, so it can be traced back to the unit. Mary McWhinney of 424-210 reported that there was a huge pile of stuff in lobby, and asked the person she saw working on it if they were going to leave the stuff there. Another resident asked, "What is our recourse for cleaning it up?" He saw the person who left it. Speedy reported that the Association will charge the owner of the unit for the cost of services that were incurred in cleaning it up. Cost of trash and cleanup was determined to be \$236. Mory asked his tenant if she left stuff. Asked her if she could come to this Board meeting and she could not. Mory understands the tenant moved on Sunday, and that trash cans were full. Other people said other people could identify the person who left the trash. Noelle, reported about problems with the vacated unit and requested that the unit not be rented until it is cleaned up saying it is a slum. Mory said it would be taken care of.

Marilyn wants an apology for the mess and inconvenience caused other residents and said that tenant denied, and Mory denied, that the mess was caused by his tenants.

Anthony says there is a specific rule on procedures to be followed for FOBs for departing tenants. Jason moved to charge to owner the out of pocket cost to clean up the mess.

Mory sent the Board pictures of trash cans showing them full on the next Sunday.

Speedy seconded the motion. It passed unanimously.

Marilyn apologized to those present on behalf of the Board.

As to the other items listed on the agenda under the Architectural Committee:

1. **Amtech Bids for Elevator Improvements:** Tabled

2. **Laundry Flooring Bids: Advantage & Total Bldg. Care: Status.** Tabled.

3. **30-Day Notice for a) Balcony Rules, b) Hard-Surface Flooring.** There is to be a Special Meeting to be set for balcony rules and roofers changes. This item is to be put on the agenda for that meeting.

4. **New Pool Signs: Status.** Valerie is to take care of obtaining standard signs.

5. **Screen, PCH Driveway Gate.** Speedy questions its safety and whether it is too much privacy. Rich says a camera covers the port-a-potties area. Mary thinks it is unnecessary to screen it and it will look worse with the shed there. Speedy is concerned with safety. Let it go. The Board is not screening the area.

6. **Rebuild Main Pool Equip. Roof, Martin's Cost:** Martin reported it will cost \$1,147 to cut steel posts and put on top of cinder block wall. Not an issue. Send a service request. Marilyn concerned, wonders what other things we are putting off when we assigned Martin new things like this. Nataliee says they never not take her calls. Valerie suggests we ask our roofers to do it free. Tabled.

7. **Shed Purchase: Status:** The Board voted to proceed with what Speedy has proposed. Rich moved to acquire the shed for \$400 and move it ourselves or at a cost of an additional \$100 cost. Jason seconded the motion. It passed unanimously. The shed is to be placed by the port-a-potties.

Mary raised issue of laundry room saying it is sickening and it should be done in house. Speedy says we are still getting bids.

8. **TMS Billboard Notice Update (Flooring/Garage Shed Reminders):** We can take it off agenda remove from the TMS bulletin board only the storage shed reminder, not the moratorium reminder.

B. **Finance committee:** Speedy requested from finance committee a quarterly reserve study update once the June balance sheet is completed. Report was not available and Bill Whitecloud usually makes the report and is absent today.

C. **Landscape:** Recommendations were recalled as being to replant ivy in bare spots along sidewalk on West side of tennis courts, move Palms from along that sidewalk possibly to vehicle gate area, place work shed next to port-a-potties. Michelle West volunteered to be on Landscape Committee. Jessica volunteered too.

D. **Insurance:** Don read Committee's recommendation for the Fidelity Insurance Renewal. Rich moved to approve the renewal as recommended. Jason seconded the motion. It passed unanimously. Valerie has the renewal notice and invoice and will take care of it and see that it is timely paid.

Old Business

A. **Irrigation controllers.** Tabled. Tierra Verde has not provided follow-up information.

B. **Tennis Court Repair proposals:** Valerie asked do we have money for that. The matter was to be added to the agenda for the next special meeting.

C. **Fence City permits requirements:** Nataliee says inspector told her we need permits for new gates and for fencing, however there is a document that provides exceptions that city has lost. But to keep things moving forward, we will get the permits. The contractor will obtain the permits for us.

D. **CAI Application Status:** Nataliee reported it was mailed in Speedy's name.

E. **URM Contracting Roof Bid:** This item is to be added to special meeting agenda.

F. **Window Replacement: Additional Bids Pending:** Any new bids? Noelle says she obtained them and sent them to Rich. Rich didn't know she had not sent them to the office for inclusion in the packet. The matter was tabled to next month.

G. **Soil Engineers Reports Status:** Where are they? Next meeting. Nataliee to add to special meeting agenda next month.

H. **Smoke issue:** Contact owner for hearing. Has one complaint. Valerie says send letter, so does Speedy. Motion to get opinion from counsel on whether we need to make a special rule for smoking or can we use offensive activity-nuisance language.

New Business

A. **Bid to paint balcony/stairwell Railings Bid to Paint:** This item was for information only.

B. **Bid to Construct Roof Crickets (Total Bldg Care):** This item was for information only.

C. Resident Move-Out Report/Photos: Done - Noelle wants work done. Mory said it will be done.

D. Extra services for Private Party: The party was for children and Fuji found hard candy in the sofa and other places and had to spend extra time and invoiced the Association. Pricing for Fuji's time needed to be determined and that is why it was on today's agenda. The office is to send invoice to Clubhouse user. Valerie suggested we cash the deposit check. Mary said the user has a right to a hearing. Mary asked what day of week the Clubhouse was used for this event. We know mess on patio was due to them.

E. Bid to Remove Dead/Dying Pine: - Speedy wants the tree to be trimmed up, rather than being removed. Speedy likes the tree. He offered to take care of it.

F. Proposed Steppingstone Budget: It was already approved at a previous meeting of the Board.

G. Cable TV/Satellite TV: Anthony is close to making his report on it. Speedy got Anthony's report but did not get a chance to read its 30-pages. He is just doing preliminary work per Speedy.

Correspondence

Jessica reported difficulty hearing the Boards actions and comments and requested they us a microphone. Speedy said they will look into it.

The meeting adjourned at 10:13 p.m.