

THE VILLAGE GREEN OWNERS ASSOCIATION
Board of Directors Regular Open Meeting Minutes
Tuesday, May 24, 2016.

DIRECTORS PRESENT: Jerri Allyn (JA), President; Joseph Khoury (JK), Vice President; Steve Haggerty (SH), Treasurer; Claire Joyce (CJ), Secretary; Reuben Ginsburg (BG); Norma Miller (NM); Lucy Fried (LF); Ethan Markowitz (EM); Anne McGinn (AMcG).

ALSO PRESENT: Sherri Giles (SG), Operations Manager, Russell Tyner, Guest.

JA opened the homeowner comments period at 7.01pm with 5 directors present.

1. HOMEOWNER COMMENTS

A. 5226. Ms. Salgues commented on court clean up and submitted a letter. CJ will submit to the office.

B. 5211. Ms. Singleton gave a community report and commented on trash pickup.

C. 5146. Mr. Redman commented on a reported armed man.

D. 5502. Mr. Mintz invited the board and community to a tree committee sponsored tree tour.

By consensus, JA paused homeowner comments to begin item 4A between comments 1C and 1D, accommodating the guest's time constraints. After the item, homeowner comments resumed.

4A. Guest Discussion: Mr. Russell Tyner, Bldg 8/14 Cracks.

Mr. Russell Tyner, architect for the building re-stabilization project discussed with questions from the board: the re-stabilization project; his subsequent inspections finding the exterior walls stable; possible causes of the cracks on the interior walls; and actions that could be taken to mitigate the them. The discussion included the proposals, cost estimates, goals, outcomes and guarantees, inconvenience to residents and recommendations. Mr. Tyner will work with SG to prepare an updated report with a summary of findings that will help homeowners reassure potential buyers. **Action Item SG.** Mr. Tyner suggests preparing a schematic set of drawings to allow Troxler to provide a magnitude of cost for the various options. Further, he suggests walking the project with the painter who carries out the patch and repair work to discuss method and materials, possibly with a trade representative, and to establish a methodology in fixing the cracks.

2. CALL TO ORDER

JA called open session to order at 7.48pm with 9 directors present.

3. ADOPTION OF AGENDA: JA moved to adopt the agenda, JK seconded. Amended to move item 4N before 4L. **Passed 9-0.**

4. BUSINESS

A. Guest Discussion: Mr. Russell Tyner, Bldg 8/14 Cracks.

See above.

B. Approval of Regular Open Meeting Minutes, April 26, 2016. JA moved to approve, LF seconded. **Passed 9-0.**

CJ is unavailable to attend the June and July scheduled meetings. EM will record the minutes in her absence.

C. Approval of Special Open Meeting Minutes, May 10, 2016. JA moved to approve, LF seconded. **Passed 9-0.**

D. Liens.

a. Resolution 16-40 JK moved to approve the recording of a lien against Assessor's Parcel Number, 5025-013-028, AMcG seconded. **Passed 7-0-2. (Abstain: JA, AMcG).**

E. Resolution 16-41. Arborist Contract.

SG introduced the item. JA moved to approve the contract with Carlberg Associates to provide Arborist Services to the property at a cost of \$22,400 annually, and Change Order 2016-A1 to the contract with Carlberg Associates dated May 24, 2016 for Project Initialization, LF seconded. After discussion including details of the contract, the policy of giving directors 30 days to review a contract of this amount before voting, the prior contract, the negotiations and board's choice of this candidate, JA tabled the item and will resend the information that the board received in August 2015 on the two candidates interviewed. **Tabled. Action Item JA.**

F. Resolution 16-42. Alert Residents About the City's Planned "Pocket Park" on Coliseum.

EM introduced the resolution to alert Village Green residents about a "pocket park" that the city is planning to construct on Coliseum with a target completion date in 18 months. EM considered tabling the resolution following correspondence with Council Member Herb Wesson's representative, Kimani Black on the matter. The board discussed the traffic implications for Coliseum and Hauser and the effect on residents; environmental reviews and official planning processes, relationships with the neighboring HOAs and the city. EM moved the board send a letter expressing the board's concerns to Mr. Kimani. CJ seconded. **Passed 9-0.** EM will draft the letter and submit to JA for approval and signature. The initial resolution is tabled and for consideration next month after response. **Action Item EM/JA.**

G. Resolution 16-43. Executive Committee - Landscape RFP Dissolution.

NM moved that the committee be dissolved and that the RFP along with the specs and scope be returned to the operations manager to complete and execute. LF seconded. After brief discussion, **passed 9-0.**

H. DRC-initiated resolution 16-38. Garage Court Directional Signs

JA moved to add number signage to the garage courts, LF seconded. After discussion including current signage, responsibilities to residents and guests and consequences of approval, **failed. 3-5-1.** (Yea: JA,AMcG,LF; Nay: JK,NM,SH,BG,CJ; Abstain: EM).

I. DRC-initiated Resolution 16-39. Outside Fence Color Addition.

JA moved to make Belize Green an outside fence option. LF seconded. After discussion including review of the overall color palate with samples provided by DRC member Ms. Thompson, **passed 6-3.** (Yea: JA,EM,NM,AMcG,LF,CJ; Nay: JK,SH,BG).

J. DRC-initiated Resolution 16-48. DRC Permission to Install Diffusers.

JA introduced the DRC proposal to have DRC members install the replacement diffuser plates

previously approved. After noting the manger's report shows that the maintenance staff has the work underway, BG moved to reject the resolution, EM passed. **7-0-2.** (Abstain:SH,LF).

K. Resolution 16-37. New Director Information.

CJ moved the board agree to compile and provide the listed information in written form to board candidates and new directors. CJ will compile the documents with contributions from other directors and present them for review and approval in June 2016. After discussion, **passed 8-1.** (Nay: BG).

Action Item CJ.

N. Discussion. Thank you letter to R Squared for Television Donation.

LF moved to approve sending the provided thank you letter on the board's behalf. NM seconded. **Passed 9-0.**

L. Resolution 16-45. Expedited Payments.

NM moved that our accounting firm Ross Morgan be instructed to follow the advice of our auditor and not process payments for expenses that have not yet been incurred and that any exceptions to this follow a consistent in amounts and times held, in a process recommended by our auditor. NM also moved that our operations manager develop a process that complies with the auditor's recommendation to ensure that any expedited payments need that comply are processed and, payment is received in a timely manner. EM seconded. After discussion including process and controls, and auditor and accountant recommendations, **failed 4-4-1.** (Yea: NM,EM,BG,CJ; Nay:JK,SH,LF,JA; Abstain:AMcG). EM resubmitted the above NM resolutions with an inclusion of a discretion of up to 30 days to be put in the process. LF seconded. **Passed 9-0. Action Item SG.**

M. Discussion. Check Signing Inquiries.

Discussion on how check signing inquiries should be honored as directors who have been approved as check signers have a fiduciary duty to investigate. No action taken.

JA called to table items O and P for time. **Passed 5-4.** (Yea: JA,JK,SH,AMcG,LF; Nay: NM,EM,CJ,BG).

O. Discussion. Committee Communications. Tabled for time.

P. Resolution 16-46. Financial Report Access. Tabled for time.

5. DESIGN REVIEW RECOMMENDATIONS

A. 5209. Kitchen Remodel. DRC voted in favor to approve. After review and discussion, BG moved to approve the modification. CJ seconded. **Passed 9-0.**

6. CORRESPONDENCE – BOARD ACTION REQUESTED

A. Committee Roles and Expectations. Noted.

B. Request for Reimbursement. After review of the documents and discussion including reference to the CC&Rs, JK moved to deny the homeowner request for reimbursement for a new wall heater and to include an explanation to the homeowner that the HOA's understanding of the CC&Rs is that our responsibility is for ducting and venting but not the appliance itself. CJ seconded. **Passed 9-0. Action Item SG.**

C. Request for Reimbursement. After review of the documents and discussion, BG moved to deny the request for payment for automobile repair costs and inform the homeowner that the garage has been scheduled for rate abatement. JK seconded. **Passed 9-0. Action Item SG.**

D. Request for Reimbursement. After review of the documents, JK moved to deny the request of reimbursement of asbestos abatement. NM seconded. **Passed 9-0. Action Item SG.**

E. New Listing Agent Information.

7. FINANCIAL REPORTS

A. Financial Statements - Reviewed and noted.

B. Treasurer's Report - Reviewed and noted.

C. Variance Report - Reviewed and noted.

Actions included:

a. Per NM request, SH will find out what drives adjustment in Balance Sheet Report item 30010-Prior Year Equity. **Action Item SH.**

b. After discussion of the delinquency report, NM moved to request that a detailed delinquency report including all delinquent accounts be included for review alongside the June scheduled status report on current actions on delinquent homeowners. This will show if all delinquent accounts are accounted for. EM seconded. **Passed 8-0-1.** (Abstain: JA). **Action Item SG.**

8. MANAGER'S REPORT

Reviewed and discussed.

9. PRESIDENT'S REPORT

Noted.

9. COMMITTEE REPORTS

Minutes and/or reports from the following committees were received and noted:

Budget and Finance; Communications; Court Council; Landscape; Safety; Tree; Community Outreach; Transition Committee 2016 Priority List Update, Website Redesign.

a. JK moved to approve Gordon Brooks, Mickey Fielding, Eduardo Franz, Sue Hausmann, Jeffrey Mintz, Teresa Thompson; and David Weisenbloom as members of the Tree Committee. NM seconded. **Passed 9-0.** Two residents were not voted on; liaison will inform the committee to submit their names for approval once the requisite number of meetings have been attended. **Action Item SH.**

b. CJ shared a temporary address for the website redesign to directors for the review and feedback.

10. OPERATIONAL REPORTS

The following reports were received and noted:

Preventative Maintenance Calendar; Parking Enforcement Summary; Garage Rental Report; Work Order Summary; Escort and Patrol Reports

11. INFORMATION ITEMS

A. Record Request – None.

12. MEETING ADJOURNED TO EXECUTIVE SESSION at 10.53pm.

During executive session on April 26, 2016, the board deliberated three personnel matters, two matters of litigation, seven cases regarding payment of assessment and authorized judicial foreclosure on APN 5025-009-107.

During special meeting executive session on May 10, 2016, the board deliberated two cases regarding payments due to the association and one legal matter.

The next open session regular meeting is scheduled for June 28, 2016 at 7pm.

Respectfully submitted,

Claire Joyce, Secretary