

**EMERY BAY VILLAGE HOMEOWNERS ASSOCIATION
MINUTES OF 12/06/17 REGULAR MEETING OF BOARD OF DIRECTORS**

A regular meeting of the Board of Directors of the Emery Bay Village (EBV) Homeowners Association was called to order on Wednesday, December 6, 2017, at 7:05 p.m., in the EBV Clubhouse. Present were Eric Stilan, Vice President; Matt Johnson, Treasurer; Michelle Siegel, Secretary; Elle Lathrop, Member-at-Large, and Michelle New, Property Manager (Walsh PM).

Homeowners present: Ryan Oberbeck

1. New Officer of the Board

Since Ellen Naghavi has resigned as President of the EBV HOA Board, Eric Stilan as current Vice President will now become the President. Elle Lathrop will become Vice President.

A motion was made, seconded and passed:

RESOLVED to appoint Eric Stilan to the position of President, and Elle Lathrop to the position of Vice President.

2. Open Forum (please limit to 2 minutes)

- What is the status of the Clubhouse update?
- NO PARKING to be included in the re-striping.
- Curb your dog signs – need to replace some that are missing/damaged.
- People parking in front of clubhouse since Sunday. Muscle car, and Subaru.

3. Approval of Minutes and Out of Meeting Consents:

A motion was made, seconded and passed:

RESOLVED to approve the October 25, 2017 regular and executive minutes of the Board.

A motion was made, seconded and passed:

RESOLVED to approve the November 16, 2017 executive meeting minutes.

4. Financial Report:

A. Statement Review/Treasurer Report

- i. Certificate of Deposit (CD) matured October 20, 2017. Matt had directed Michelle New to renew it with another CD with a one-year term. The CD was renewed with Union Bank. We are getting .9 and 1.0% interest. This is competitive to other banks for HOAs.

C. Collections

- i. There was no new report from Allied Collections. We have a new option to remove the write-off accounts on the delinquency report.

Former owner of Unit 125, Mobley, died and there is no money in the estate to collect on debt owed the HOA.

A motion was made, seconded and passed:

RESOLVED to write off the \$15,059.80 outstanding balance owed from the former owner of Unit 125, Mobley.

- ii. One account in collections: 76088. Allied was to have a payment plan in October, but they did not, and they still do not. We will revisit this at January 31, 2018 meeting.
- iii. 76107—homeowner is current in regular assessments and is paying off the special assessment. Walsh PM asked the homeowners if they were willing to do a balloon payment. They are not willing to do a balloon payment.

5. Committee Reports

A. Architectural

- i. Storage Closet Doors – 2017 Project. Committee has compiled a list of this year's 20 doors that will be installed in 2017. Work pending scheduling. To occur in December 2017 or January 2018. GB Group is measuring all the openings, and then when that is finalized, they will mobilize in the Clubhouse to complete the painting.

ii. Architectural Violation –closure pending.

B. Landscape

i. Trees & Landscape Proposals

- a. Paver repairs for unit 93/95 were worked on but not completed to satisfaction. Pending. Meeting was planned with Jensen at the first Tuesday in November (November 7, 2017). Notes pending.
- b. Results of walk with Jensen regarding irrigation and recommendations. Landscape Committee stated at September meeting they were to walk property with Jensen to clarify the recommendations they are making and plan for work in 2018. Details pending.
- c. 2018 Tree Trimming. Traverso Tree service provided a bid dated August 9, 2017. The bid is very low and doesn't include much work. Four redwoods were previously bid on in March 2017—approx \$11,600 each plus about \$600 per tree for Jensen to remove the stumps. Conclusive details to follow. Landscape Committee meeting with Traverso again to get more information and clarification. Landscape Committee received the bid. It totals \$33,530, but some estimates are informational only, and do not apply to trees to be addressed in 2018. Landscape Committee has highlighted trees needing most work, and would like to approve the bid at an amount not to exceed \$23,000. Pending corrected scope of work.
- d. Concrete impacted by trees was discussed (inspection and tree listing for quotes). Concrete/asphalt work for parking spaces needs to be coordinated with tree service needs. Trees not impacting concrete must be inspected. Staging would be: concrete out/Traverso inspects and cuts (or another tree company cuts)/new concrete goes in. Replanting would occur based upon recommendation by landscape company and/or Traverso. Landscape Committee to provide list of trees to be removed—so vendors can provide bids; map of locations; recommended replacement trees and or/shrubs, and when during the year the best time to replant would be. That list is pending.
- e. New plantings at select locations (Units 46 through 52 and Units 105 through 111). Proposals approved at October 25 meeting. Work is pending by Jensen.

ii. Drainage Repair Swale– Jensen Landscape Service (Buildings 3 through 6)

- a. Swale is to mitigate flooding issues at this area. Jensen needs to know that storm drain is clear (storm drain is County of Alameda property) before work on the swale proceeds. Michelle New to contact County of Alameda to verify that the storm drain is clear behind Building 2 and let the Board know as soon as she finds out.
- b. Jensen reported that the partially clogged pipe behind building 2 (94-96 EBD) cannot be cleared and must be replaced. They will provide us with a bid to replace the pipe. Michelle New to follow up with Jensen to get that bid.

iii. Unauthorized Tree Plantings. Observed and reported behind building 34 (units 118/120). Jensen removed the trees in question.

iv. ECCL Redwoods behind Clubhouse nearest 53rd Street. The Landscape Committee contacted ECCL and City regarding their redwoods and the dry areas in the corner behind the Clubhouse on ECCL property. The irrigation on ECCL's side is no longer working. Traverso noted those trees are all right for now. Landscape Committee is concerned about these trees dying and falling onto our property. Michelle New contacted the City of Emeryville. They are having trees assessed in early 2018. They will let Walsh PM know the results of the assessment.

v. Landscape fabric installation request on fence behind Clubhouse. Pending quote from Jensen, since December 2016. Walsh PM asked Ramiro for a quote. If we buy the material Ramiro will install it. The Board directs Michelle Siegel to purchase landscape fabric and fasteners for privacy screening on fence behind clubhouse at an amount not to exceed \$300.

vi. Guava tree trimming. Proposal approved at October 25 board meeting. In progress; some of the trimming has been completed.

vii. Discussion of service needs.

viii. Wasps. Ongoing treatment needed. One or two more visits will complete this cycle of treatment.

C. Security / Communications

i. Updates, Requests and Proposals

- a. Elle is working on updating the Homeowner Handbook. Michelle S. to look for the document in Word or find a PDF to convert. Eric is to work on drafting a flyer or multiple flyers on a few topics for distribution at each unit's front door on recycle center use, etc., basic things to know in HOA community. Pending.
- b. Discussion of draft policy to have owners notify management of new renters, and notify renters of CC&Rs, etc., or be fined. Board needs to advise Michelle New after reviewing recommendations Walsh PM made in their management report in September 2017 Board meeting. Michelle to email Board and Michelle New with the draft Rental Requirements.

- c. Sign holders at mailboxes. Eric found better solution to our existing mailbox flyer holders. He provided details. We would have to mount to the mailboxes. Look into industrial Velcro. Eric to buy a sample to try out.
- D. Electric Vehicle (EV) Committee
- i. Updates, Requests and Proposals
 - a. Getting a second quote on cost to run the electrical conduit. Pending.
 - b. Eric also asking about whether to get a panel, or if we need a sub-panel. Need to figure out what tier we are on, on the panel. The sub-panel could have its own account in order to get Tier 2 or 3, or EV rate.
 - c. Eric has educational meetings about EV planned for 2018.
- E. Bicycle Storage Committee
- i. Guest rack locations/installation quotes, and cement pad installations were previously approved. Need to schedule work. Michelle New says Ramiro can assist with marking cement pad areas. Eric and Michelle to meet on December 15 to mark the locations for the cement pads.
- F. Clubhouse Interior Committee
- i. Progress update. Brad Gunkel to meet with City of Emeryville in early December regarding what would be required as far as number of bathrooms and compliance.
 - ii. Visioning sessions. December 10 and December 13.
6. Unfinished Business
- A. Open and tabled items (informational/underway projects)
- i. Mailboxes
 - a. We had a broken P2 parcel box and a broken P1 parcel box on the mailboxes by 81 Emery Bay Drive. One had a broken spring so the door would not stay closed when it was unlocked. The other had a latch that did not close. Board authorized W. Roberts Enterprises at the July meeting. Willie Mailbox met with the carrier and confirmed that the repairs were completed as of 8/30/17. However, it wasn't completed, since the spring was still broken. Walsh PM sent correspondence back to W. Roberts Enterprises and was awaiting his reply. Michelle New asked him to fix the P1 parcel box on Temescal Circle as well. He did that. The manufacturer doesn't sell just the spring part to fix the mailbox by 81 Emery Bay Drive. Willie is looking for a spring to use to replace the broken one. Directive issued at last meeting to Stephanie Barbour to get appropriate label making tape to make instructions on mailboxes for how to use the keys and locks. This is pending.
 - ii. Structural Issues Buildings 34/41 - ongoing
 - a. Alameda County Flood Control Findings. Info on City storm drains. Alameda County Flood Control finished the inspection of underground culvert. They found no offsets or damage within the underground culvert that runs the length of the property. They report that this is an inspection done every 5 to 7 years and that they also will need the landscapers to leave the area at the far corner (53rd Street), at the rear, left corner of the Clubhouse area, accessible. With this question being answered, we at least can rule out if the soil issues are being caused by damages of the underground area. We are still awaiting letter and/or report summarizing. Michelle New will follow up again.
 - b. Soils engineer proposal by Joe Gray for services in 2018 to begin improving drainage issues at areas impacted by structural issues was approved in September. Michelle New is to reach out to him to do a bid to remeasure the interior slope at units at Buildings 40 and 41, and Building 14. Walsh PM will have a bid before Christmas from Joe Gray.
 - c. Interior repair reimbursement policy. The Board needs to look at the threshold for reimbursements for interior repairs caused by soil issues. Board to look at interior repairs after mitigating improvements put in place.
 - d. Report from homeowner at 143 Temescal Circle regarding additional cracks and great difficulty opening front door reported and discussed in October. The cold weather is now making the door looser to open. G.B. Group will keep technician who is installing the storage doors on hand, so that someone will be here, and can adjust the door at 143 Temescal if it's needed. Michelle New will contact 143 Temescal to schedule G.B. Group to look at it.
 - e. New owner reports at 145 Temescal. Walsh PM had Murray Construction look at the photos. It is a standard crack. There isn't a gap between the paint crack. Contractor said: look for softness in sheet rock; asked if there were other cracks; contractor recommended to recheck the crack length in 90-days.
 - iv. Clubhouse Repair Project
 - a. The structural repair is complete. Matt Johnson is putting together a report on the project.

- v. Lateral Line Inspections – work in progress. Approved, pending schedule.
 - a. Background: EBMUD met with Wash Property Management earlier in 2017. We had submitted the developer plans for the sewer lateral lines. We have all the information on drains. We are waiting for measurement of lineal feet on maps from EBMUD, in order to determine if we qualify for the extension or not. The chosen company to do the work quoted on all camera inspections and final filings and will complete the process start to finish.
 - b. Michelle New is waiting for news about the extension for filing from EBMUD.
 - c. Walsh PM waiting for schedule for work from Above All, the company we chose based on the bid process.
- vi. LED Light Conversion
 - a. 90% complete. New bulbs arrived in August 2017 to replace bulbs broken in shipping so we could complete the project. Walsh PM still to schedule with Ramiro to install and notify units whose carports will be impacted. Was to be completed by mid-September, delayed. Delayed again in October. Scheduled for December 13, 2017.
- vii. Carport Repairs Schedule
 - a. Waiting still for GB to schedule the work. Will take a lot of notification to residents to move cars on specific dates.
 - b. It is still 4 to 6 weeks out for completing.
- viii. Proposed Project Forms and RFP Outlines
 - a. We have an outline. We also have a draft events form.
- ix. Recycle Center Door Repair
 - a. We need someone to do a welding repair on the recycle center door. RNS, a Richmond firm, can do the work. Michelle New is getting this scheduled.
- x. Paving Options (2018 tentative) (parking area/walkway hazards)--pending
 - a. PCC provided a quote. They delineated what they could and couldn't fix.
 - b. Board walked through and noted trees that need to be removed. Landscape Committee is putting together notes.
 - c. Landscape Committee to get bids on tree removal and recommendations on suitable replacements as a first step before concrete work can begin.
 - d. Bids vary in presentation of quotes. Need to remove/replace the concrete first; then, after that, get PCC to come through and fix the remaining issues. All work is pending getting trees removed.
- xi. Power Washing
 - a. To address the bird guano. Ramiro, our association handyman, was to power wash the streets and sidewalks that have excessive bird droppings. Areas were missed on Emery Bay Drive in area where cars are parked. It should be completed at this time.
- xii. Requested Removal of Shopping Cart from EBV Property
 - a. Removed.
- xiii. Concrete Damage at Stairs for 100 EBD
 - a. Unit 100 Emery Bay Drive has damage on the entry steps. Michelle New will get a bid for re-cementing the steps. Two options: concrete patch; or completely rip out and re-do. Patch is very economical. Romiro looked at it, but the way it's constructed, you need to jack-hammer it out and put it in fresh. When concrete work is done, we need to remove and replace this. This time of year is not conducive to cement installation.

7. New Business

- A. Order signage for recycling area. Decided against this. Will wait until spring is fixed so door automatically closes.
- B. Office shelves – 12/13 Romiro, the association handyman, to purchase plastic standing shelves and assemble them.
- C. Re-stripe of Clubhouse parking area – to be done in December as weather permits.
 - i. Michelle New to tell Romiro to use a No Parking stencil as part of the work on the area next to the disabled parking space. Romiro to complete this work in December.

8. Management Report

- A. Insurance deductible responsibility.
 - i. Unit Origination: Individual unit owners are responsible for any maintenance needs that occur within their individual unit or within their individual restricted common area (balcony deck, or patio.)
 - ii. Damage to Own Unit: If damage to an individual unit occurs due to an incident that occurs within that individual unit, the individual unit owner is responsible for any damage that occurs. If an insurance claim is filed, any deductible is the responsibility of the unit owner.

- iii. Damage to Common Area: If damage to the common area occurs due to an incident that occurs within an individual unit, the individual unit owner is responsible for the cost of repairing this damage. If an insurance claim is filed, any deductible is the responsibility of the unit owner.
- iv. Damage to Other Units: If damage to another unit(s) occurs due to an incident that occurs within an individual unit, the owner of the unit where the incident occurred is responsible for the cost of repairing this damage. If an insurance claim is filed, any deductible is the responsibility of the owner of the unit where the problem occurred.
 - The steps to be taken in case of such an incident are:
 - Affected owners must request in writing that repairs be completed. Letter should be send to the owner who caused damage with a copy to association.
 - If an owner who is responsible for repairing another unit's damage is not cooperative, the damaged unit owner may contact the association for assistance.
 - The association has the option of filing an insurance claim and assessing the responsible unit owner any deductible or requesting the damaged owner to take action against the responsible unit owner. The latter action will be taken if the association determines that the damage is relatively minor.

B. Welcoming Committee.

- a. Walsh PM to provide the Committee with the name of any new residents.

C. Discussion of rental requirements policy. Board to review and discuss further in January.

- D. Gatherings in clubhouses and common areas: new law in 2018. Walsh PM attending seminar on the new law in late January and will advise the Board. Walsh PM also attending an expo hall after. Can collect info for us.

9. Hearings (No show)

The meeting adjourned at 9:10 p.m.

10. Adjournment to Executive Session (Litigation/Contracts/Disciplinary/Personnel Matters/Delinquent Accounts)

APPROVED

January 31, 2018

Michelle Siegel

Michelle Siegel, Secretary