

FINAL Meeting Minutes

**PARK ACQUISITION CORPORATION**

Regular Meeting

7:00 PM

Wednesday, March 2, 2016

Fireside Room, 100 Marin Valley Drive, Novato, CA

ATTENDEES:

- Board Members: Larry Cohen, Mike Hagerty, Peggy Hill, Jim Olson, Jay Shelfer.
- 19 Non-Board Residents
- Park General Manager: Matt Greenberg
- Recording Secretary: Susan Windman

CALL TO ORDER: 7:00 PM

A. APPROVAL OF FINAL AGENDA

Motion was made and seconded to approve the final agenda. Motion was voted on and passed: 5 ayes, 0 nos.

B. PUBLIC COMMENTS (for issues not on the agenda)

- Anila Manning described problems with the website service (server) and was wondering the protocol for contacting the service and if there are funds available for website management. She is restricted from completing the upload of content to the web server and doesn't receive feedback when the server is down.

Jay responded that PAC is currently in the process of budgeting funds to have a renewed website. Jay gave permission for Anila to contact the current website service to resolve website issues.

C. CONSENT CALENDAR

1. Receive approved minutes of January 6, 2016 meeting.

Motion made and seconded to receive the approved January 6, 2016 minutes. Motion voted on and passed 4-0.

2. Approve minutes of February 3, 2016.

Peggy indicated the following corrections:

- Referring to section G-1 (HOL report), Peggy mentioned she thanked Erma for doing a fabulous job “for the new 2016-17 directory.” Peggy asked that this last part be added.
- Referring to Shareen Akroosh’s comments in section B (Public Comments) about the \$300,000 retaining wall project, Peggy mentioned that the \$300,000 was for the entire project, not specifically for Shareen’s site. Matt clarified that work done on her site -- that also included the fence -- was slightly less than \$150,000.

Motion made and seconded to approve the February 3, 2016 minutes, with corrections. Motion voted on and passed 5-0.

D. REPORTS

1. Landscape architect presentation on proposed front of Clubhouse and Pool areas

At February’s PAC Board meeting, Tony Williams (City of Novato Public Works) and Gretchen McCann (GSM Landscape Architects) presented an initial design proposal for the Clubhouse and Pool areas and received resident feedback. Tony and Gretchen returned this evening to present a final conceptual design and obtain resident comments. Drawings were displayed for residents to review.

Main areas of focus for the work:

- Parking areas – making them conform to ADA standards
- The connections from the parking spaces into the building (Clubhouse) and into the pool/spa area
- Pool/spa area

The proposal would include:

- Redeveloping the parking spaces so there are five handicap spaces (required by law)
- Creating a larger central area with surrounding benches (in front of Clubhouse)
- Treating the walking area that is currently slick (area with shiny concrete) with a sand wash to make it slip resistant
- Redoing the decking around the pool area and spa
- Replacing the unusable turf grass/plant area at the back of the pool space with water-efficient landscape and shade trees and a sitting area
- Better pool/spa area access/gate system

Jay commented about retaining the existing garden area and Koi pond. Tony replied that the issue with the garden is that it isn't ADA accessible. Gretchen added that the pathway adjacent to the garden area isn't ADA compliant due to: (1) its slope, (2) the material it is made of, and (3) its width (in spots).

Various residents indicated concern about the beautiful garden in front of the Clubhouse disappearing and being replaced by concrete paths and highly-manicured, office-building-like landscaping. Tony mentioned the only reason in the proposed design to go beyond the extent of the path would be because of the geometry involved from the existing slopes. A resident mentioned that currently the bushes between the parking area and benches are a very good divider (screening material) and should be retained. The resident also would like some other material than concrete used for the paths. Several residents indicated they don't think there needs to be a lot of disturbance to the front. Regarding the use of concrete, Gretchen mentioned that it could be minimized and where used, the concrete could be colored and made to look more compatible with the surroundings.

Another resident wondered the reason the proposed handicapped parking was not located closest to the front of the Clubhouse. Gretchen responded that the slope prevented this location for the handicapped parking area. A resident wondered the reason so much attention was being put on the sidewalks (for access to the Clubhouse) when there's going to be an elevator in the Clubhouse. Jay responded there isn't going to be an elevator.

Jay would like a spot in the pool area that offers shade year round for folks who want to sit.

A resident mentioned that in the Clubhouse area, in the flat area to right of the building near the big pine tree, Mar Val has plans to place a bench in memory of Jim Gruber. Mar Val has agreed to pay for the stone the bench would sit on. The bench has already been purchased and is sitting in the shed. Mar Val would like the bench included in the landscape plan. Tony indicated it is not included in the scope of the project.

A resident wondered if lifts would be required for the pool and spa, to comply with ADA requirements. Tony said "yes." The resident wondered if the spa would then need to be larger. Tony didn't know the answer and will research it.

A resident would like the pool changed to a non-chlorine pool. Gretchen responded that Tony and she have been researching the topic.

A resident noted that the beautiful garden area in front of the Clubhouse is the marquee of the Park community. Its important significance needs to be taken into account and the area retained as beautiful as possible.

Tony mentioned there are two elements being addressed by the proposed work – ADA and non-compliance of the pool (by the Department of Environmental Health). David King mentioned he assumes there are two costs associated with the work – costs associated with the ADA/pool work and a separate cost for everything else.

A resident wondered if the Koi pond would require refurbishing. Gretchen responded she doesn't think so.

PAC Board thanked Tony and Gretchen for their appearance and residents clapped.

## 2. PAC Treasurer's Report (Larry Cohen)

Following is the PAC Treasurer's report:

PAC Final Balance	\$6,382.22
PAC Actual Balance	\$2,414.72
Humanitarian Fund Starting and Final Balance	\$3,967.50
Total Spent Current Fiscal Year	\$2,257.39

Jay asked about expenditures during the last month. Larry responded the only expenditures related to the recording secretary. Jay wondered if funds are available for the website. PAC is considering proposing to use \$3000 to reengineer/redesign the existing webpage. Larry indicated funds might be needed for the PAC Board election. Anila wondered about the fees currently charged for the website. Matt and several PAC Board members responded they haven't seen any bills from Mary (website).

## 3. MVMCC Administration and Finance Report (Peggy Hill)

Peggy looked at the monthly management report for January. There were big expenses for Marin Valley during this period – for example, Clubhouse beam work (almost \$38,000), pine tree pruning at the Park entrance (a little over \$7000), and work on slopes and drains (\$27,000). Peggy also noticed that from the money Marin Valley has on account, someone sent “Bob” and the City of Novato a domestic wire for \$150,000 (it was transferred into the Westamerica account). Peggy is unclear what that is about and will ask Brian.

Debt-to-service ratio is fine and currently at 2.79.

#### 4. Maintenance and Capital Projects (Matt Greenberg)

Matt provided the following project report:

- Repair work done at a resident's home. There had been severe pooling of water in the driveway for several years.
- Completed repair work involving the spa and a broken water line under the pool equipment that could have potentially flooded the men's bathroom. Matt learned the problem is larger than first thought. There's an even bigger leak in the skimmer line that goes to the spa and it currently is not functioning at all. Repair work should start soon and would require around 80 feet of trench involving a 12-inch-wide section of the pool deck. New pipe would be installed and would not need to be re-done during the upcoming work on the pool. The repair would take around three days.

Most of the maintenance and capital project funding has been spent for the six months.

Jay asked about the pathway work involving PG&E. Matt responded there has been good input from residents who live along the path. He had hoped there would have been more of these residents attending the recent meeting. Matt indicated PG&E seems responsive towards addressing resident input regarding beautifying the path and safety issues.

PG&E needs to wait for review and approval by the City Council and then, after approval, has to give a certain amount of notice before starting work. Matt has been pushing to have the work done soon so plantings have time to take advantage of rainy conditions, etc.

A resident indicated PG&E flies a helicopter 1000 feet over the pipeline every few months. It has equipment that senses leaks.

Peggy Hill (PAC Board member) indicated she is a resident along the PG&E path. She was out of town during the recent PG&E meeting. She had written a letter, that was not read, indicating she feels the City has been micromanaging the project and that the project should have been done by now.

#### 5. Call for items for 2x2 meeting with City on March 21, 2016 (Jay, Mike)

There is a 2-by-2 meeting scheduled on March 21, 2016 with the City.

The 2x2 meeting is now called the “Working Meeting” between the City and the PAC Board. Two members of the PAC Board (Jay, Mike) visit with the City (typically Brian, representing City Management, and Veronica, City Attorney) and talk about matters of interest. Discussion items are not necessarily agendaized but typically are included in a rough outline, posted before the meeting. If a resident has concerns they would like discussed at the meeting, contact Mike or Jay.

6. City of Novato (Jay)

Jay indicated there is nothing additional to report for now.

Larry and residents asked Jay about the next City Council meeting at the Park. A resident indicated there is supposed to be one in March. Jay responded he hasn't received any agenda or received info about it. It also isn't scheduled on the City website.

7. Report on Wish List (Jay)

Jay summarized that the “Wish List” is a request made by the PAC Board to the other boards and residents to indicate what they feel could be done to improve the situation in the Park – resident-wise and community-wise. The PAC Board receives lists/requests from Mar Val, HOL and residents.

The PAC Board Committee, consisting of Jay and Jim Olson, went through the lists with Matt to see which items could be included in the Park's general operating budget or in the Wish List request to the City. In the past, around \$20,000 has been allotted in the budget to cover the “wish list” items. One of this year's requested items is large in terms of expense and would reduce the amount available for other items. Jay and Jim have tried to refine the other items to necessities for the community.

This year, the following “wish list” items include:

- Ballroom air conditioning (\$45,000) -- This request, made by many residents for a long time, is well overdue and would make the use of the ballroom space much more comfortable. The Ballroom air conditioning system has been partially accomplished through the recently updated electrical paneling in the Clubhouse.
- Walkway lighting along the pathway in front of the Clubhouse (\$1000)
- Improvement/replacement of non-standard, non-professional exercise equipment in the gym (\$2000)
- For Mar Val, new locking arrangements to improve access to important Park keys (\$50)
- Replacement of the two old, formica tables in the Ballroom used by Mar Val (\$250)

- In the gym, improve temperature and airflow by purchasing portable ventilation fans (\$600)

Total request amount equals around \$48,900. Jay hopes funds can be obtained from the budget to cover all requests.

Peggy hopes the lighting will be oriented downwards rather than focused towards the sky. Jay responded he's spoken with Matt and the lighting would be oriented sidewalk level and wouldn't impact residents across the street.

Jim emphasized that this part of the budget is for items that would improve the lifestyle of the most number of residents. The air conditioning has been asked for in the past but was never approved.

A resident asked if the lighting would be coordinated with the ADA landscape plans. Jay responded "yes." A resident asked about the operating costs of the air conditioner and if solar panels were being investigated. Jay responded that Tony Williams is looking into the feasibility of solar at the Park. The solar energy generated at the Park would need to connect with the energy grid and the cost/value is being reviewed. The Ballroom air conditioning system would be needed during activities/events but not used 24x7. A resident asked if there was a temperature control system that could be implemented in the Clubhouse to reduce chances that, for example, air conditioning is left on (forgotten to be turned off) by mistake. Jay responded there currently are controllers but that he would speak with Matt about how they can better be controlled. A resident wondered if lights along the streets and driveways could be turned off during the night to further conserve energy and costs. Jay asked Matt to look into it.

Jay made a motion to approve the Wish List of items. The motion was seconded, voted on and approved: 5 ayes, 0 nos.

A resident asked about a previous Wish List request for a projector system. Jay responded that the request was previously. Matt indicated the cost of the first system looked at was extremely high (more than \$15,000). Other systems were investigated but then time ran out. Jay commented he could see a value for it for CERT trainings and MVEST. Jim commented it is something PAC in the past investigated and that prices most likely have come down. He thinks it should be considered for next year.

The MVEST President mentioned that the City requested that the MVEST budget be submitted to PAC today and that there would be discussion. She is mentioning it now for acknowledgement that there will be discussion. Jim responded that PAC will read it. Jim noted that it should be added to the agenda for next month.

E. OLD BUSINESS

1. Report on PAC Election in May, and Mike Hagerty will not run for re-election (Larry)

Jay indicated that Mike Hagerty will not run for re-election. Mike has joined the County's Commission on Aging. Commission meetings occur on Wednesday evenings and conflict with the PAC Board meeting day/time. Mike urged residents to run for the PAC Board and spoke about the benefits of volunteering/serving as a PAC Board member. (Residents clapped.)

Larry mentioned there will be four seats available in the upcoming PAC Board election in May – Jim's seat, Peggy's seat, Jay's seat, Mike's seat. Three of the seats will be for a two-year period and one seat will be for one year. Peggy will probably run again. Jay will run again. Jim will not be running. Mike will not be running. May 15-21 is the nomination period. Tuesday, May 24, is the tentative date for voting. Larry will need help with election activities.

F. NEW BUSINESS

1. Motion: To form a subcommittee of the PAC, consisting of two members of the PAC Board, to meet with Novato City Council member Josh Friday to discuss Park resident concerns (Larry)

The motion described above would just involve meeting with Josh Friday. Jim Olson made a motion to approve, which was seconded.

The motion was next discussed. Larry indicated the meeting would involve a general discussion with the City Council member. Items to discuss focus on the motion described below under agenda item F-2 and to hear back any concerns about that agenda item. It would not cost money to speak with a City Council member.

Jim volunteered to be involved.

Peggy was wondering the reason Josh Friday was selected, but then followed up by indicating she understands that Larry would want to introduce the Park and PAC to the new City Council member. Larry indicated he has already had a discussion with Pam Drew, the other new City Council member. Peggy also mentioned that Josh Friday lives close by the Park, in Hamilton, and why it's another good reason to speak with him, especially about common concerns.



A resident commented he feels it is about time to speak directly with City Council members.

The motion was voted on and passed: 5 ayes, 0 nos.

2. Motion: To form a subcommittee of the PAC, consisting of two members of the PAC Board, for the purpose of drafting a letter, to be approved by and subsequently sent by the PAC, to the members of the Novato City Council. The letter will express concerns regarding unbudgeted expenditures, excessive consultant fees, and timely completion of the report on long term ownership. (Larry)

Jim proposed to accept the motion, which was seconded. The motion was opened for discussion.

Mike commented that the more specific the complaint is, the more likely there will be positive action. Can the letter be more specific. For example, the issue of the excessive charges and poor management on the PG&E pipeline project by the City would be a specific example. Larry agreed with the example.

Jay indicated to Peggy that this would be a good time for Peggy to submit her PG&E letter. Following is Peggy Hill's letter, originally written for the PG&E meeting held at the Park that she was unable to attend.

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TO: PAC Board Meeting

FROM: Peggy Hill

RE: Homeowner adjacent to the PG&E path and PAC Board Member

As I understand the MVMCC Management Agreement, day to day management duties are to be performed by Al Frei Real Estate Services and the manager of MVMCC, Matt Greenberg. Frei Real Estate Services was selected by PAC and approved by the City of Novato. Additionally, Matt Greenberg is well versed regarding the issues and problems of MVMCC and is highly respected by members of PAC and the community for his management ability and his ability to solve problems at the Park.

With this in mind, a year ago at this time, I asked Matt Greenberg to clean up the PG&E dirt path area because the abundance of deal wood, overgrown trees, and bushes (including juniper) were a fire hazard. I was told that the PG&E path would be cleaned up and landscaped by PG&E by summer 2015 and that PG&E would cover all costs of the project. However, the work was not done because the City of Novato and the Attorney who represents the City decided to micromanage the PG&E

project. Luckily, there were no wild fires in the area last summer. We are now heading toward the summer of 2016 and the need to remove the fire hazards on and adjacent to the PG&E path and to properly landscape is still with us. Only now, MVMCC is facing a \$19,000 plus bill from the Attorney representing the City for negotiating with PG&E and, as far as I know, these negotiations were never requested by the PAC Board nor was PAC asked for advice and consent. And because the Attorney is limiting the amount and type of cleanup and landscaping done by PG&E, MVMCC will now be financially responsible for tree trimming and work along the path not done by PG&E. Also, I want to remind the residents of MVMCC and the City of Novato that the gas pipeline along the path is a major conduit, comparable to the San Bruno pipeline. I am worried about tree roots invading the pipeline as well as the City of Novato overruling PG&E decisions that would make living next to this gas line safer.

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Jay mentioned that prior to this evening's PAC Board meeting, he received a call from the City of Novato City Manager, Cathy Capriola. She called after reading the PAC Board meeting agenda. She would like to receive Board member and resident comments regarding these issues and would like a meeting with two members of the PAC Board.

Cathy Capriola mentioned two items, in particular –

- The \$165,000 City billing to the Park for the last three years, just recently presented to the Park and which is considerably more than the \$20,000 billed by the City annually the last ten years; and
- The Park long-term ownership issue being put on the back burner.

Jay suggested scheduling the meeting. He suggests that Jim be involved since Jim was previously involved with the City regarding these issues and is familiar with them. Jay asked residents if they have concerns they would like included, to contact him.

Jim asked that the current motion (involving the letter) be tabled until after the meeting. He indicated he would like to be involved with the meeting. He asked that the PAC Board approve the Committee of Jay and himself (Jim Olson).

Jim's motion to table the agenda item motion until after the meeting, and to approve a Committee of Jay and Jim, was brought forward and seconded.

A resident (John) wondered how much the City would charge for the meeting and also if MVEST would still be involved in the meeting. Jay will ask further about the

meeting and about MVEST's involvement in it. Jay asked John to write out the MVEST concerns.

A resident questioned the reason for Cathy Capriola's sudden interest in wanting to meet to discuss these issues with the PAC Board and residents, who have attempted for years to have these conversations with the City. The resident feels it would be best to focus efforts on forging relationships with the City Council.

Jay responded that Cathy Capriola indicated she would like to discuss the concerns before the concerns are taken to the City Council. Jim commented he feels it is best to try to work out issues directly with City staff before approaching the City Council. If it doesn't work out, PAC can still write the letter. Larry agreed with Jim.

The PAC Board voted on the motion to table the agenda item motion and form a Committee (consisting of Jay and Jim) to meet with the City. The motion passed: 5 ayes, 0 nos.

3. Determination of next meeting date

The budget meeting with the City's staff and finance committee occurs the first week in April (before the April 6 PAC Board meeting). Larry wondered if PAC Board appointments should be made before the next PAC meeting. Jay thought so. However, the topic/motion hadn't been included in tonight's agenda. Board members discussed the issue further. Larry had previously served in the role. Jay will investigate this topic further during the month.

The next meeting will be: **Wednesday, April 6, 2016, 7 pm.**

G. REPORTS FROM OTHER BOARDS

1. HOL

Elections will be held in May.

2. MAR VAL

The Echo is running a little late. There will be a St. Patrick's Day party on the 12<sup>th</sup>.

3. MVEST

Serena presented the report. She's on the Marin County CERT steering committee. She and John Hansen today were part of a group that talked about neighborhood

preparedness. Attending were representatives from various Marin cities and neighborhoods. The steering committee recently met with the local Novato fire department (Station 65). At any one time, there are 20 professionals on duty for all of Novato. San Rafael has around 57,000 residents and 21 professionals. Serena emphasized that in a real emergency, Park residents can't assume the professionals will be able to make it to the Park and that residents need to be prepared to take care of themselves for at least three to five days.

#### H. ADJOURNMENT

Erma understands there will be a City Council meeting at the Park. There hasn't yet been discussion of what residents would like to be presented at the meeting. Erma feels there should be some preparation for this meeting as to the issues to be discussed. Jay responded that residents are allowed to present a public comment during a City Council meeting. Larry continued that the PAC Board is only allowed to comment on items that have been placed on the agenda. Peggy mentioned that the PAC Board doesn't yet know if there will be a meeting. A resident commented that if people want to speak, they should first write a letter and distribute it so other residents know about it.

Meeting was adjourned at 9:15 PM.