

FINAL Meeting Minutes

PARK ACQUISITION CORPORATION

Regular Meeting

7:00 PM

Wednesday, October 2, 2013

Fireside Room, 100 Marin Valley Drive

ATTENDEES:

- Board Members: Jack Brandon, Larry Cohen, Tom Miller, Jim Olson, Jay Shelfer
- 9 Non-Board Residents
- Park Manager, Matt Greenberg
- Recording Secretary: Susan Windman

A. CALL TO ORDER: 7:03 PM

B. APPROVAL OF FINAL AGENDA

Motion to Approve: 5-0

C: PUBLIC COMMENTS

- John Hanson talked about the new MVEST (emergency services) committee and its current plans, to be carried out in three phases starting in November. Phase 1 will occur November 2, 10:30 AM, at the Clubhouse. Frank Cox will give a presentation about “Get Ready Marin,” a disaster preparedness program for Marin residents and their communities. Phase 2 will focus on the “Map Your Neighborhood” program, first developed in Washington State but now adopted widely. The program trains neighborhoods on how to prepare for emergencies and disaster situations, and how neighbors can personally be prepared to help themselves and their neighbors. John indicated this program needs two dozen volunteers. Phase 3 will involve CERT, community emergency response training, workshops by the City of Novato. The next CERT training is scheduled for February 2014. John indicated that between Phases 2 and 3 there will be a presentation about potential emergency systems in the area.
- Miriam Sprouse distributed a handout with certain Park Rules and Revisions. She described noise annoyances by a neighborhood, and she asked Board members for brainstorming about possible solutions for resolving the annoyances to her and her husband’s peace and quiet. Jim indicated the Brown Act doesn’t allow the Board to act on an issue unless it has been “agendized” and that he/Board would work with management.

- Nancy voiced concerns about continuing issues involving community roadways and parking, noticing lax enforcement of parking stickers, roadway obstructions created by the red cones surrounding contractor vehicles and equipment, and garbage cans in the streets (especially after garbage pickup).

D: CONSENT CALENDAR

1. Receive Approval Minutes of August 7, 2013 meeting
2. Receive Corrected Agenda of September 4, 2013 meeting
3. Approve Minutes of September 4, 2013 meeting.

Note that the Approved Minutes includes the following appended report: Report by Jack, described in Item 8, Page Three of the Minutes.

E. REPORTS

1. New Recording Secretary, Susan Windman, introduced.
2. PAC Treasurer's Report (Larry Cohen):

PAC Final Balance	\$5,105.31
PAC Actual Balance	\$2,270.81
Humanitarian Fund Starting and Final Balance	\$2,834.50
Total Spent Current Fiscal Year	\$ 881.94

3. MVMCC Administration and Finance Report (Jay Shelfer)

Debt to Service Ratio is currently 3.13, which exceeds Bank of Marin requirements. Larry asked if City of Novato Financial Officer, Bryan Cochran, could come speak about Park financial processes. Larry, Jay, Jim, and other resident attendees mentioned that the topic should be discussed further at next meeting, including a discussion if experts should come speak about the topic at a separate meeting.

Jim will add this to future Agenda.

A question was raised: Would the City of Novato be billing the Park several hours for this?

4. Park Management Report (Matt Greenberg)

Matt listed observations concerning the Park and summarized his current activities:

- Dead or diseased trees – He’s noticing them and prioritizing which of them should be removed (when appropriate and prudent).
- Several cars on the road aren’t registered. Matt will notify the owners/residents. Some unregistered cars may eventually end up impounded.
- Residents with guests – Matt wondered if they are family. He noted that the regulations define what is short term vs. long term visitation/residency.
- A lot of residents seem to be dropping out of using Comcast. Is this a problem?
- Matt is noticing residents walking dogs off leash or with no leash. Should this be addressed?
- Matt observed that concerns by residents about neighbors seem to be decreasing.
- Some Park rules/regs seems to be loosely followed (or not followed) by the residents.
- Matt invited all residents to come visit the gym. New equipment is now available. A volunteer instructor will be present once or twice in the near future, probably on a Saturday, to introduce the equipment and gym.
- The Clubhouse pond is being cleaned and upgraded.
- The men’s changing room at the Clubhouse was tested for mold. Results will be available very soon.
- The Park maintenance and tree crew are no longer dumping spoils onsite.
- Matt voiced a safety and liability concern about swimming pool users
- Park rules are being forgotten/broken by residents. For example, well intentioned parties that don’t comply.

Discussion:

Jim Olson asked Matt if the palm trees were looked at. Matt indicated “no.” Jim mentioned that trucks that park for a long time on a street make it difficult for others to back out of their driveway. Jack praised the work MVEST is doing.

5. City of Novato/MVMCC Update (Jim Olson)

- 20 mph sign – The sign has not yet been installed.
- It is not clear which (and when) City services are going to be charged/not charged.

F. GENERAL BUSINESS

1. Alternative Brown Act Processes (Jim Olson)

The City has been invited several times to make a Brown Act presentation, but the City has not yet been able to come. PAC and residents seek further understanding about alternative Brown Act processes (how it works). Should PAC continue waiting for the City to come speak, should such a presentation occur at a special meeting and/or should residents submit direct Brown Act questions to the City with the hope the City will respond clearly and coherently?

Discussion:

Jack felt it is worth having a special meeting scheduled. Jay and Jim indicated they would rather submit questions. Tom was concerned that the City Attorney (Veronica) would speak in legalese and that answers to questions would not be forthcoming to a lay audience. Jack mentioned the importance of adhering to transparency and for everyone to be able to ask direct questions and responses via a meeting, especially in light of confusion about the topic. A Board member stated his view that any meeting would be focused on questions and answers, but if they still can't get the City to come to a meeting by December it would be ok to alternatively submit questions to the City.

A resident indicated he has attended many City meetings where attendees asking questions were told that City staff doesn't currently have the details and that they would need to get back to them when they have the details -- and then City staff never got back to the attendees asking the questions. A resident mentioned that if questions are submitted, there could be an accompanying request that any response by the City be in plain English. A resident suggested they could first try submitting questions and if not satisfied then later have a meeting. A resident voiced an opinion that face to face is much more valuable and easier to get an immediate response and follow-up. A resident asked if a tutorial exists about the Brown Act. A Board member responded that it is huge and that the Brown Act is confusing and they have already been provided with an Intro to the Brown Act. Conduct is one area that needs clarification.

Motion entered and seconded for Brown Act questions to be submitted to the City. Motion carried 3:1, with Jack abstaining in protest. Jack explained he feels it is absurd that the PAC Board would think it can resolve the Brown Act issue through written questions rather than through direct interaction with people who are expert on it.

Residents should submit Brown Act-specific questions to Jim Olson.

2. Report/Action: Downstairs Renovation Facilitation Committee (Jay Shelfer)

Jay reported that rehab of the three pool tables is necessary. Several Board members offered their assistance. Jay will provide more details next month.

3. Report/Action: Community Development Consulting Committee (Jack Brandon)

A committee meeting was held Saturday, 9/28/13. Jack's committee report is attached separately to the current PAC minutes. The committee will meet again on Tuesday, October 1, 4:30 PM.

4. Ask Management to investigate alternative spa cover configurations and projected costs (Jay Shelfer)

Jay reflected that spa cover costs and City requirements would be better addressed if Matt looked into the costs through a pool or spa company (costs with and without the cover).

Motion entered and seconded for Management to investigate spa cover configurations and projected costs. Motion carried 5:0.

Matt asked about City legal requirements. Board member indicated that the City's environmental health & safety staff was asked if health and safety rules exist and the Park was told there are none.

Matt indicated he will be speaking soon with contractors.

5. Authorize Jim Olson to work with the other two Boards, Management, and the City, to develop guidelines/rules for resident use of the Clubhouse (Jim Olson)

Clubhouse use sometimes appears to violate rules and laws. Should Jim be authorized to work with the other Park boards to address this issue? Do rules currently exist?

Jay mentioned that Clubhouse usage problems should be examined gently. The group facilities are for the residents. A Board member indicated that Clubhouse use should be for activities sponsored by residents for residents and such activities should be posted in The Echo. Insurance is always a concern.

A resident mentioned that Great Room usage is defined, but that Fireside Room usage is not, and that insurance/liability is a concern. If there's a party with outsiders,

insurance should be required. A resident suggested that the City be asked to formulate a plan here at the Park. A resident stated that in response to Jay's concern about going slow and gently, maybe give residents enough notice about the plan so they have a chance to be involved, else it could stir up a bad reaction from residents.

Matt indicated concern about the comments and asked what should be done in the interim regarding rental of the property? He agreed there should be good dialogue with residents.

Motion entered and seconded for a document to be drafted regarding usage of the Clubhouse facility for events. Motion carried 5:0.

6. Authorize Tom Miller to look into Park and MarVal insurance costs (Jim Olson)

Motion entered and seconded to ask Tom to look into insurance costs and insurance alternatives. Motion carried 5:0.

7. Report/Action: Delegation Agreement revision (Tom Miller)

Tom discussed issues involving insurance and waiver of liability through bringing in own insurance. Tom looked at MarVal insurance and indicated the Park could do better cost-wise with other companies. In the interim, get a waiver of liability and then get own (1-day) insurance. Tom will provide further information to Board members about insurance waiver.

Matt mentioned that when look at the insurance, should get a bid from three brokers to obtain the best deal.

City has not yet provided requested info. Jim asked about the process for changing bylaws. Tom stated that they can be changed at any time. All that is needed is a quorum by the Board and a vote by the residents (Tom mentioned the rules for voting by residents are not clearly stipulated).

8. Determination of next meeting date

Next meeting date is: Wednesday, November 6, 2013, at 7 PM.

G. REPORTS FROM OTHER BOARDS

1. HOL

Nancy Bingham missed the last meeting but indicated her substitute did a great job. Ray Snyder mentioned that more residents seem to be attending the meetings.

2. MAR VAL

No representative was present at the PAC meeting.

3. MVSC

No representative was present at the PAC meeting.

H. PAC BOARD MEMBER COMMENTS

Jack:

- Name plates should be purchased.
- Regular submittals should be made to The Echo about what the PAC is doing. **Jim to place this on the next Agenda.** A resident commented that each item in The Echo costs.
- Mentioned water dispenser concerns.
- Roberts Rules of Order should be following during meetings. **Place item on next Agenda.**

I. ADJOURNMENT: 8:35 PM