

FINAL Meeting Minutes

**PARK ACQUISITION CORPORATION**

Regular Meeting

7:00 PM

Wednesday, December 7, 2016

Fireside Room, 100 Marin Valley Drive, Novato, CA

ATTENDEES:

- Board Members: Larry Cohen, John Hansen, Peggy Hill, David King, Jay Shelfer.
- 5 resident meeting attendees
- Park General Manager: Matt Greenberg
- Recording Secretary: Susan Windman

CALL TO ORDER: 7:05 PM

A. APPROVAL OF FINAL AGENDA

Dave King asked to withdraw his agenda item E-1 regarding the Financial Committee.

Jay asked to move Dave's agenda item E-4 (regarding document storage fee) to the top of the Old Business section.

Motion made and seconded to approve the final agenda, with requests. Motion voted on and passed 5-0.

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

No public comment.

C. CONSENT CALENDAR

1. Receive and approve amended minutes of October 5, 2016 meeting minutes.

Motion made and seconded to approve and receive the amended October 5, 2016 meeting minutes. Motion voted on and passed 5-0.

2. Approve minutes of November 2, 2016.

Motion made and seconded to approve the November 2, 2016 minutes. Motion voted on and passed 5-0.

#### D. REPORTS

1. Maintenance and Capital Projects

Matt provided the following update:

- Pool -- Installation of new equipment in the pool room is finished and running very well – efficiently and quietly. Pool company coming to replace troublesome pumps.
- Pool (and spa!) will be open and heated over the holidays.

2. PAC Treasurer’s Report (Larry Cohen)

Larry presented the following PAC Treasurer’s report that covers the period through November 2016:

PAC Final Balance	\$5,998.68
PAC Actual Balance	\$2,031.18
Humanitarian Fund Starting and Final Balance	\$3,967.50
Total Spent Current Fiscal Year	\$1,408.06

3. MVMCC Administration and Finance, report of Finance Committee (David King)

Dave indicated he saw nothing unusual in the October MVMCC Administration and Finance report.

Peggy wondered about the \$4,882 charge by Al Frei for the mailer about the no rent increase. Matt will check this charge.

Peggy also asked about the \$13,000 charge to reset the breakers at a Marin Valley residence, and a \$24,500 charge for a retaining wall at a Sunrise residence. Matt will look further into the charges.

4. Rent Equalization/Differential Committee report (David King)

Nothing to report.

5. Project Planning report (John Hansen)

John indicated there are no new projects aside from Firewise.

6. MVEST and Marin Valley Firewise report (John Hansen)

John indicated most of MVEST energy is currently focused on Firewise since the application to the Firewise program needs to be submitted by the end of the year. (It will be sent on December 19.)

Upcoming MVEST programs include:

- Jan 14 (Sat.): Incident command training (3 sessions that day)
- Jan 21: Training update for block captains

7. City of Novato update, including, if any, discussion of updating MVMCC Rules and Regulations (Jay Shelfer)

Jay mentioned that Cathy Capriola has resigned from the City of Novato. She has accepted a city manager position in a different city. In a month when the new City of Novato city manager takes over, PAC should know better who at the City will take on the various City roles in regard to MVMCC.

8. November 2x2 meeting (Jay Shelfer)

A 2x2 meeting (2 PAC members + 2 City staff) was held November 2. Discussion included the following:

- PAC priorities – Regarding priorities mentioned by PAC, the City to provide a list of their issues for residents to respond to. The City would consider resident feedback when making decisions.
- No date has been set yet for the City Council meeting regarding MVMCC. PAC (Rent Differential/Equalization Committee) hopes to present a rent differential background.
- Desire by MVMCC residents to resolve long-term ownership/stability concerns, especially since MVMCC has senior low-income residents. To be discussed further.
- Park Security – Brian Cochrane (City of Novato) has not yet been able to speak with the police chief regarding improving the security of the Park.
- Role of the PAC (delineated in the Delegation Agreement with the City) – PAC's primary function is to act under the owner. Jay read from the Agreement (see Attachment A at the end of the meeting notes).

- Response by City to the PAC question as to the documents the City retains regarding the previous owner and purchase of the Park. The City has three copies of the 108 original documents and is required to retain them for another five years. The City's attorney has one of the copies.
- Communications between the City and MVEST – City to meet directly with MVEST.

9. Security Committee (Jay Shelfer, David King)

Jay mentioned the topic was already addressed, above.

10. Archives Committee (David King)

Dave mentioned he will address the topic later in the meeting.

11. Report from David King regarding finding consultant/attorney to determine and review the PAC By-Laws pertinent to the Election Handbook and to determine the cost, and review issue of PAC By-Laws and Election Handbook

See November PAC meeting minutes under New Business, #5. Also see the Addendum attached to this meeting's Agenda.

Dave has found inconsistencies between the By-Laws and Election Handbook. Dave mentioned he has been searching for pro bono legal assistance. One attorney he spoke with quoted \$1600. A resident mentioned there are two Marin attorneys with strongest knowledge of the particular area of law (homeowner's associations) -- David Feingold and Glenn Youngling.

E. OLD BUSINESS

(NOTE: Agenda item E-4 to be discussed first, per request by Jay (see Agenda item A).)

4. Motion: Allocate \$50 to renew storage area for another two months. (David King)

NOTE: This agenda item is only relevant if Agenda item E-2 DOES NOT pass. If E-2 DOES PASS, Dave indicated he plans to clear out the storage area tomorrow and deliver the documents to Erma and John.

Background information:

If scanning is not authorized, the rent expires on the storage area on December 8, 2016.

1. Motion: For the Financial Committee to hold a 30 minute meeting with Brian Cochran to discuss the following: Review and clarify the accounting procedure used in the use of the \$250,000 of MVMCC funds used for the TPL land purchase. (David King)

Dave withdrew his agenda item.

2. Motion to allocate up to \$450 to scan and create OCR files for all PAC documents to two USB flash drives, including the purchase of two USB flash drives. (David King)

Background information:

John and Erma Feld have a friend who has three professional scanners and will scan and create OCR files for 5 cents a page. In addition, management is reviewing diagrams and those that are Park-related will be scanned using MVMCC funds, not PAC funds.

Motion was made, seconded and discussed. Larry thinks the effort is a waste of money and that the Archive Committee should first review the documents and then scan them, themselves. John mentioned while the budget is tight the work should be done. Jay is in favor of scanning and thinks the digitized documents would be easier to locate specific information.

Anila asked about copies of the documents the City already possesses. A different resident supports scanning but strongly suggested first assessing which docs are important to retain. A different resident wondered the reason the cost would be borne by the PAC budget, not the Park's.

Jay called for a vote on the motion. The motion passed: 3 ayes, 1 no, 1 abstain. Peggy indicated she abstained because she felt she didn't have enough information.

3. Motion: To store one USB flash drive in the AC cabinet onsite and one USB flash drive offsite, location TBD. Only original paper documents with signatures will be saved in one binder in the PAC office and all other documents will be discarded. (David King)

Motion was made, seconded and discussed. Larry asked if a signed, scanned document is legally binding. The motion was voted on: 4 ayes, 1 no.

F. NEW BUSINESS

1. Motion: Future monthly PAC meetings to begin at 6 pm, not 7 pm. (Peggy Hill)

Motion was made, seconded and discussed. The motion passed 5-0.

2. Share usage of the PAC bulletin case/board by mailbox with MVEST and Firewise. (Peggy Hill)

This agenda item is not a motion but suggestion for discussion. The suggestion was discussed and all members agreed with it.

G. Determination of next PAC meeting date

The next meeting will be: **Wednesday, January 4, 2017 at 6 pm.**

H. REPORTS FROM OTHER BOARDS

1. HOL

No report.

2. MAR VAL

No report.

H. ADJOURNMENT

The meeting adjourned at 8:06 pm.

ATTACHMENT A

December 7, 2016 PAC Board Meeting

NOTE: Attachment A pertains to Agenda Item D-8.

During discussion of Agenda Item D-8, Jay Shelfer read the following excerpt from the Delegation Agreement (Final 03/31/2012) -- Article V (Operation & Control of the Project), Section 5.01 (Operation of the Project), subsection (e) on page 7.

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“...The PAC and each of the members of the Board of Directors thereof, shall ensure that its primary function and duty under this Agreement shall be for the operation of the Project on behalf of Owner and shall, in said regard, at all times operate the Project in the best interest of the Owner and in accordance with the laws, rules and regulations applicable to real property owned by a municipality. The Owner and PAC have a shared interest in operating the Project to preserve the health, safety and welfare of the residents of the Project, including the affordability of the housing and preservation of the use of the land upon which the Project is located as a senior mobilehome park (age 55 years or older)...”

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