

PINNACLE MARINA TOWER ASSOCIATION
REGULAR MEETING OF THE BOARD OF DIRECTORS
WEDNESDAY, OCTOBER 19, 2011, MINUTES

**NOTICE OF
MEETING:**

Upon due notice given and received, a Regular Session Meeting of the Pinnacle Marina Tower Association Board of Directors was held on Wednesday, October 19, 2011, at 6:00 p.m. in the Amenity Room.

ATTENDANCE:

Directors Present: Chris Eddy, President
Steve Sparta, Vice President
Joe Mansolillo, Secretary
Melanie Branca, Treasurer

Absent: Dane Morton, Director-at-Large

Also Present: Jim Jennings and Melissa Vaughan representing The Prescott Companies
Damian Esparza representing Barrera and Company

**CALL TO
ORDER:**

The Regular Session Meeting was called to order at 6:00 p.m. by President, Chris Eddy.

**EXECUTIVE
DISCLOSURE:**

In accordance with California Civil Code, the items discussed in Executive Session must be briefly disclosed to the membership in Open Session. No specifics or names shall be provided.

- Approval of September 21 & 26, 2011, Executive Session Minutes
- Collections
- Hearing (1)
- Lobby Remodel Contract
- Construction Defect Lawsuit

**APPROVAL OF
MINUTES:**

Motion: Upon a motion duly made by Joe Mansolillo, seconded by Steve Sparta and carried, the Board voted to approve the September 21, 2011, Regular Session Meeting Minutes as presented.

**FINANCIAL
REPORT:**

The Board of Directors reviewed the financial statements for the period ending September 30, 2011. A summary of the financial activity is as follows:

	September 2011
Operating Assets	\$ 508,879.19
Reserve Assets	\$ 825,435.60
YTD Total Assets	\$1,334,314.79
Delinquencies	\$ 39,605.78

In September 2011, the Association received 102% to budgeted income and incurred 85% to budgeted expenditures. Since the first month of the new fiscal year, the Association received 100% to budgeted revenue and incurred 88% to budget in operating expenses.

Motion: Upon a motion duly made by Melanie Branca, seconded by Joe Mansolillo and carried, the September 2011 financials were accepted subject to a year end review.

**PINNACLE MARINA TOWER ASSOCIATION
REGULAR SESSION MEETING OF THE BOARD OF DIRECTORS
MINUTES – Wednesday, October 19, 2011
Page 2**

MANAGEMENT

REPORT: The Board reviewed the Management Report as submitted.

COMMITTEE

REPORT: A report was submitted by the Committee Chair on behalf of the Committee including the following items:

1. Concierge Report
2. Finance Committee Report
3. Social Committee Report

OLD BUSINESS: **2012 Draft Reserve Study:** Damian Esparza of Barrera and Co. was in attendance to present the 2012 Draft Reserve Study.

Motion: Upon review of the reserve study and after discussing it with the representative from Barrera and Co., the Board directed Barrera and Co. to make some adjustments and resubmit the draft for the Board's review.

Amenity Room Television/Projector: The Board reviewed the Committee Chair's recommendations for the new amenity room television and projector.

Motion: Upon a motion made by Chris Eddy, seconded by Steve Sparta and carried, the Board voted to approve the Committee's recommendation for the television purchase with the addition of a small sub-woofer and a Paradigm center speaker. The Board did not approve the Committee's recommendation for the projector and directed the Committee to research projectors in the \$3,000.00 price range.

Revised Swimming Pool & Spa Rules: The Board reviewed the revised rules as submitted by the Committee.

Motion: Upon a motion made by Chris Eddy, seconded by Steve Sparta and carried, the Board adopted the following proposed rules to be ratified following the Owners' 30 day comment period:

1. Pool/Spa hours: 6:00am to 11:00pm. 6:00am to 9:00am and 10:00pm to 11:00pm are Quiet Hours.
2. Children 14 years and younger must be supervised at all times by a responsible person 18 years or older.
3. The use of the pool is expressly limited to residential owners, tenants and their invited guests. Each unit is limited to eight (8) non-resident guests total, at any given time. At no time shall any group monopolize the facilities.
4. Hosts are responsible for ensuring they and their guests are not a nuisance to others.
5. Diving is considered hazardous behavior and is strictly prohibited.
6. Running is considered hazardous behavior and is strictly prohibited.
7. No glassware of any kind is allowed in the pool and spa area.
8. Eating while in the pool/spa is prohibited. (This includes having any part of the body in the pool/spa.) Drinking beverages while in the pool/spa is allowed only along the perimeter.
9. Only standard swimwear is allowed in the pool and spa.
10. No children under the age of 14 years shall be allowed in the spa unless supervised by an adult. No children under the age of 7 years shall be allowed in the spa unless accompanied by an adult. Elderly persons, pregnant women, infants and those with health conditions requiring medical care should consult a physician before entering the spa. It is recommended that young children, pregnant women, persons with heart problems, high blood pressure or diabetes refrain from using the spa for health

PINNACLE MARINA TOWER ASSOCIATION
REGULAR SESSION MEETING OF THE BOARD OF DIRECTORS
MINUTES – Wednesday, October 19, 2011
Page 3

reasons.

11. The association is not liable, and does not assume any liability whatsoever, for injury, property damage or any kind of loss arising in connection with the use of the pool or spa. The pool, spa, and recreational areas have no lifeguard on duty.
12. No person subject to involuntary natural bodily functions is permitted to use the pool or spa without proper and effective diaper protection.
13. Perspiration and oils must be showered off before using the pool or spa.
14. Persons with communicable diseases are asked to refrain from pool use due to the obvious risk of health problems to other individuals.
15. The Board of Directors reserves the right to deny use of the pool, pool area, and spa to anyone at any time.

Reminders:

1. Misuse of association property will not be tolerated. Pool maintenance and safety equipment are to be used for their intended purpose and not for recreational purposes.
2. At no time shall there be any noise, music, or other activities that creates a nuisance to residents.
3. Items brought to the area must be removed from the area or disposed of properly.
4. Smoking in common areas is prohibited.
5. Pets are not allowed on the second floor at any time.
6. Bicycles, skateboards, scooters, and roller-blades are not allowed on the second floor at any time.
7. Nudity is not permitted.
8. Guests on an extended stay (over 2 weeks) are considered members of the household and may use the facilities unaccompanied. Extended-stay guests must register with the Association and are subject to all community guidelines contained within the Project Guide or posted in common areas and recreation areas. Other guests may use the facilities only when accompanied by the host. Please do not extend an open invitation to others to drop by the pool/spa at any time for a swim.
9. No cooking apparatus, other than those provided by the Association, shall be used. Make sure to turn off gas if not in use and leave area in a clean and tidy fashion.
10. Indecent conduct is prohibited in the pool, spa, fitness center and all other common areas including Exclusive Use Common Areas.

Tips:

1. The "buddy" system is recommended for all swimmers at all times. No one should swim alone.

New Handicapped Parking Rule: The Board reviewed the suggested new rule as submitted by the Committee.

Motion: Upon a motion made by Chris Eddy, seconded by Steve Sparta and carried, the Board adopted the following proposed rule to be ratified following the Owners' 30 day comment period:

The parking of a vehicle in a designated handicapped space without the legal use of a DMV Parking Placard or Disabled Person License Plate is prohibited. Violation will result in a \$250 fine. Abuse or misuse of a placard will be reported to the Department of Motor Vehicles.

Guest Parking Pool: The Board reviewed the proposed regulations as submitted by the Committee.

Motion: Upon a motion made by Chris Eddy, seconded by Steve Sparta and carried, the Board adopted the following proposed rules to be ratified following the Owners' 30 day comment period:

PINNACLE MARINA TOWER ASSOCIATION
REGULAR SESSION MEETING OF THE BOARD OF DIRECTORS
MINUTES – Wednesday, October 19, 2011
Page 4

1. Fees:
 - a. \$10.00 for a single space per 24 hours for up to 2 weeks
 - b. \$15.00 for a tandem space per 24 hours for up to 2 weeks
 - c. Rates double after 2 weeks, triple after 4 weeks and continue to increase proportionately every two weeks of consecutive usage.
 - d. A three (3) day absence defines a break in consecutive usage.
2. Payment must be submitted to the Front Desk Associate or Management at the time the reservation is being requested. Reservations cannot be placed on the schedule until payment and all necessary paperwork is submitted.
3. Cancellations:
 - a. Reservations cancelled at least 14 days in advance are eligible for a full refund.
 - b. Reservations cancelled 3 – 13 days in advance are subject to a charge of 50% of the total fees.
 - c. Reservations cancelled less than 3 days in advance are not eligible for refund.
4. Resident will be provided with a permit to display in the windshield showing when the period of payment expires.
5. Resident will be provided with a copy of the map with the reserved space highlighted.
6. Residents/guests are required to check in during regular Front Desk hours between 7 a.m. and 11 p.m.
7. Free for up to 90 minutes per day per unit, except that contractor vehicles are subject to a minimum 1 day fee.
8. The Association cannot be held liable for any theft of or damage to personal articles left in vehicles.
9. Residents shall not charge guests for use of any common facility or area beyond reimbursement for resident costs.
10. All common facilities at The Pinnacle are for the use of Association Members and their Guests. Rules and conditions for the use of the facilities may be changed at any time by the Board of Directors.
11. The resident and the guest will be required to sign an agreement for the lease of the space indemnifying the Association and releasing the Association from liability.
12. All agreements entered into by the Association are terminable at any time without cause.
13. Owners may participate in the guest parking pool by specifying times their space(s) are available. Each month, participating owners receive a fraction of the income from the parking pool based on the number of days the space was in the pool and whether the space is single or tandem. Specifically, each owner (including the HOA) receives 1 credit for every complete calendar day a single space is in the pool and 1.5 credits for every complete calendar day a tandem space is in the pool. Of the total income, 8% is set aside for the HOA for administration. The remaining 92% is divided by the total number of credits to determine how much each credit is worth. Owners may remove spaces from the pool with 3 days advance notice if not already reserved.

NEW BUSINESS:

Building Link: The Board reviewed information about new software that is being recommended by the Concierge Committee.

Annual Staff Holiday Fund Letter: The Board reviewed the letter prepared by Management.

Motion: Upon a motion made by Joe Mansolillo, seconded by Steve Sparta and carried, the Board voted to approve the letter to the Owners and Residents with a deadline to submit contributions by December 15, 2011.

2011 Audit: The Board reviewed a proposal from Greg Villard, CPA for the 2011 audit and tax prep.

PINNACLE MARINA TOWER ASSOCIATION
REGULAR SESSION MEETING OF THE BOARD OF DIRECTORS
MINUTES – Wednesday, October 19, 2011
Page 5

Motion: Upon a motion made by Joe Mansolillo, seconded by Steve Sparta and carried, the Board approved the proposal.

2012 Collection Policy: The Board reviewed the updated collection policy presented by Management.

Motion: Upon a motion made by Steve Sparta, seconded by Chris Eddy and carried, the Board voted to approve the updated collection policy as submitted.

Front Desk Key Release Form and Liability Waiver: The Board reviewed the forms for the new key box at the Front Desk. Management advised the Board that the forms have been reviewed and approved by Legal Counsel.

Motion: Upon a motion made by Melanie Branca, seconded by Steve Sparta and carried, the Board approved the forms for use at the Front Desk.

**HOMEOWNER
FORUM:**

The floor was opened for Homeowner comments.

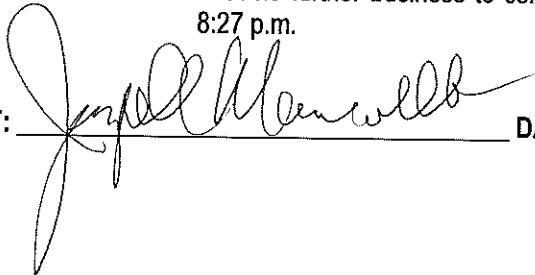
**DATE OF NEXT
MEETING:**

The next meeting will be held in the Amenity Room on November 16, 2011, at 6:00pm.

ADJOURNMENT:

With no further business to come before the Board of Directors, the Open Session was adjourned at 8:27 p.m.

ATTEST:



DATE:

11/16/11