

# The Owners' Strata Corporation LMS 1866 Commercial

288-970 Burrard Street, Vancouver, BC V6Z 2R4

## COMMERCIAL COUNCIL MEETING

Tuesday, Sept 15<sup>th</sup>, 2009

### DRAFTS MINUTES

**Present:** John Davies, President  
Mark Bentz, Vice- President  
Tony Lum, Treasure  
Keith Hyde, Director

**Guests:** Peter Morgan, Owner  
Michael Sanderson, Owner?  
Zuzana Palovic, Minutes Taker

Meeting was called to order at 3:05 pm by John Davies.

MOTION to accept Minutes of Meeting July 15, 2009 (there was no Aug meeting). CARRIED.

#### 1. FINANCIALS

Tony Lum reported the Corporation has a surplus, and that the Council has settled the residential contingency accounts payable of \$59,000. After the settlement of this large \$59,000 Commercial received payments of totaling \$23,000.

When questioned by Peter Morgan, Tony Lum projected breakeven by the end of the budget year depending on the winter temperature we are about to face.

Tony Lum stated that the month of August had an extra \$28,000 of expenses due to replacing of elevator lobby carpets, paying the deposit for Atrium conference glass wall, and paying off all Terry Irving's cumulated overtime.

Tony Lum stated that the financials are not published to the public for security and contract negotiation reasons but the corporation's books are fully open to all owners upon request. Please see Tony Lum for the Electra Commercial Corporation financials.

Peter Morgan stated that other owners would like a financial report, and would generally like more access and dialogue regarding Council financials.

Tony Lum explained the financial books are available to owners upon request. If you are an owner you have the rights to access the Corporation's financials. The rule is clearly defined in the BC Strata Act section 36.

Peter Morgan proposed an updated financials SUMMARY made available to all owners with the MINUTES mailed every month.

Monthly financials were released to council members 1 week in advance of the council meeting and discussed over meeting, email or phone call prior the council meeting and approve of the financials.

MOTION to accept the financial report as presented. CARRIED.

#### 2. PARKING METER:

Keith Hyde headed the pay Parking space investigation and presented council his proposal. The proposal is to turn the current drive through free 30 minute pickup/drop parking lane into a paid parking. There are 6 parking spaces on the lane at the corner of Nelson and Burrard that can earn revenue for the Corporation. The projected revenue from these 6 space will be about \$1000 per month splitting between the meter company, Residential and Commercial.

It is a hands free operation, the Parking meter company will patrol the lane, issue tickets, towing the cars etc...

John Davies suggested the Council to purchase the parking ticket machine, thus securing 100% of the revenue, rather than sharing it with the parking meter company.

Tony Lum stated that perhaps it's best to keep the 30 min free parking and continue with the honorary system that is presently in place.

Keith Hyde stated that we should have meters, as this is the standard practice everywhere in the downtown core.

This lane is commonly owned by the Residential and Commercial sections, both sections has to approve before the meter can be installed.

MOTION in favor of installing the parking meter at the Commercial level and bring the issue to the Residential for discussion and approval. CARRIED.

3. (17. )GLASS WALL INSTALATION UPDATE

Tony Lum stated that after paid \$1,200 for Committee's sound engineer service and learned that a fixed glass wall is the way to go, 3 quotes were obtained, council members approved to install a fixed wall compared with the movable glass panels, Tony Lum signed the contract and paid the deposit to initial the fixed glass wall installation.

Michael Sanderson stated that the volunteer committee originally placed in charge with enclosing the boardroom was ignored, not consulted, not respected, not given the chance to contribute, and the board totally under minded the committee. Request council to reverse this project until the committee gave the board its full report.

Mark Benz stated that council was at fault for not properly communicating with the volunteer committee their decision however the overall decision made by Council was completed with the best interest of all owners in mind.

(The board discussed the communications issue and on Sept 16<sup>th</sup> put the project on hold and on the 17<sup>th</sup> issued the attached letter and design to the committee to give them 2 weeks to complete their full report. The board will make its decision after Sept 30<sup>th</sup> when all the facts are included)

4. RESIDENTIAL \$59K SETTLEMENT UPDATE:

The amount is settled, and the council was able to clear up all the confusions with Residential back to the ice age.

Commercial Council ended up with a \$17,000 cheque after the settlement, all Commercial legal bills related to the settlement were paid by Residential. Both sections are now operating at the even level and both sections are working smoothly in taken care of The Electra common matters. We do not expect to have any more large legal bills if both sections continue to operate at this smooth level.

5. INSTALLATIONOF THE WATER METER:

Tony Lum has issued a Purchase Order to the mechanical contract to re-install the Commercial section water meter.

A water meter reading protocol will be discussed with Residential so both sections can agree on how to splitting the water/sewer quarterly bill.

To insure proper use of the water, Council will conduct research on how Commercial owners/tenant/restaurants/fruit store etc. use water and advise connecting to the building HVAC system to conserve water consumption.

6. HYDRO PEHTHOUSE RENTAL CONTRACT SIGNED:

Council is happy to report that the roof top Commercial penthouse and antenna space rental is renewed and rental income will continue to flow into The Electra.

The total rental value is \$183,120 over 120 months, possible renewal for decades to come.  
The new rental sharing between Commercial is agreed at 70% for Commercial and 30% for Residential.

Peter Morgan complaint that the board did not follow proper process, doing deals in the back room.  
Peter Morgan considered these between council meetings are illegal and backroom meetings.

Council reply it is impossible to run the Corporation with just 10 scheduled strata meetings in a year (we do not have strata meeting on the first month due to AGM, we do not have strata meeting in Aug due to holiday season, we only have 10 scheduled potential council meeting and lots of decisions are made between the council members in the Peter's so call backroom)

Peter Morgan is complaining that council is not following process for couple of hour during this strata meeting (the meeting was scheduled for 30 minutes to document and update the owners of the projects done or being worked on in the past 2 months but it ended up finishing in nearly 3 hrs after)

Keith Hyde suggested the council make use of emergency meetings in order to discuss major decisions, rather than moving ahead without consulting the owners.

Tony Lum brought to the attention that this is only a renewal of the contract and no SGM required.

MOTION to approve BC Hydro renting the Commercial penthouse and antenna space. CARRIED.

7. ROOF CROWN RESTORATION STATUS UP DATE:

75% of the crown cement restorations are finished.

75% of the labor, material, engineering, and scaffolding rental has already been paid.

The restoration project is processing on time and on budget. Expected project completion is mid Oct if weather permits.

8. TERRAZZO/ STAIR REPAIR UPDATE

Project is complete and 100% paid.

There are some cracks that were not included on the repair due to Residential section budget reasons. We have called the contractor to clean and re-caulk to seal these cracks to prevent water from leaking in to the bottom of the cement panel to avoid more damages.

9. TRANSPARENT FENCE INSTALL UPDATE:

For security reasons Plastic panels has been installed at the Patterson School garden plaza fence. Project is completed.

10. CITY REPAIR/REFILL HORNBY STREET SIDEWAL UPDATE:

The city has repaired the many cracks located on the sidewalk on Hornby St. after council alerted the City engineer department of the potential danger if the side walk is not repaired.

11. POWER WASH AWING GALSS, HORNBY, NELSON, BURRARD SIDE WALK UPDATE.

Pressure washed Hornby street awnings, Hornby/Nelson/Burrard sidewalks.

Further cleaning will be arranged by John Davies, most likely after fall when the leaf fall settled.

12. 970 FRONT LOBBY POLISH AND WAX UPDATE

John Davies' team did a great job in striping, waxing and polishing the 970 Burrard front entrance lobby to welcome the new elevator lobby carpets.

(we will have new elevator lobbies carpets for floors 1, 2 and the mezzanine after Sept 21<sup>st</sup>)

Peter Morgan suggested that the Council should give advance notice when construction or unexpected noise is going to take place.

13. PROPOSAL FOR THE PROFESSIONAL FURNITURE FOR THE 970 FRONT LOBBY

John Davies mentioned that a designer has been brought in to spruce up the lobby.

Council would like to make the lobby more inviting for everyone, thus upgrading the overall appearance of the building.

Keith Hyde suggested that it is not a lobby, but a hallway and therefore should serve the function of a hallway.

Tony Lum stated that the building will look much better with only a small investment of money, as the area is heavily used by the public, owners and tenants.

14. HVAC DOWN FOR 4 DAYS UPDATE

The HVAC system has not been working well since the install. A new plan to over haul all the HVAC system is in the works.

15. CHILLER PROBLEM, HVAC CLEANING AND CHEMICAL REFILL UPDATE

Our HVAC system has not been maintained properly for too many years, major maintenance and treatment are required. Council has purchased over \$5,000 worth of chemical to treat the systems. Next weekend we will have all systems down for cleaning, flushing, add water/add flushing chemical, flush the chemicals, refill and treat the systems to prevent gum up, rash etc.

16. CARPET INSTALL UPDATE

New elevator lobby Carpets will be installed on Monday Sept. 21st. work starts at 6 pm.

17. ELEVATOR PHONE PROBLEM UPDATE

The phone in the elevator is dead for many years and Otis is alerted and a new phone line is ran to the elevator control panel for Otis to reactivate the phones in the elevator cabs.

Fire Pro has been charging Commercial for elevator phone monitor service even the phones are not working.

Peter Morgan suggested that there should be removable sticker, with emergency contacts for people to call with their cell phone when trapped in the elevator.

Tony Lum agreed to post the sticker, it will include the following:

1. Elevator Number
2. Building Address
3. Otis Emergency Contact Number

18. BUILDING EMERGENCY ALARM TESTING UPDATE

All speakers and alarm annual inspection by contractor is successfully completed.

Tony Lum and John Davies stated that they have taken note of noise complaints.

The contractor put on heavy rock music over the PA speakers . Peter Morgan suggested that the council should provide adequate advance notice to owner about potential construction or unexpected noise inconveniences.

19. FIRE PUMP ENGINE UPDATE

Repairs to fire sprinkler pump instead of replacing it is approved by both Commercial and Residential sections.

20. BUILDING WINDOW CLEANING SCHEDULE AFTER THE ROOF CROWN REPAIR

Tony Lum stated that the installation of window cleaner fall protection will be a large and costly task. Currently RJC, our structural engineer cannot find the fall protection anchor that meets the WorkSafe BC requirements. The engineer log book is missing or has not been established from the past years of windows cleaning.

Council is in the process of exploring the installation of the long term fall protection anchor and re-establish the engineering log book.

21. TERRY DEPARTURE UPDATE

Terry was let go after August 31 2009 and council is looking for a part-time replacement.

MOTION to Adjourn Meeting at 5:45pm. CARRIED.