



APPROVED MINUTES

THE PIERRE CONDOMINIUM ASSOCIATION BOARD OF DIRECTORS MEETING MINUTES

Pursuant to notice duly given, a Board of Directors Meeting of the Pierre Condominium Association was held on February 12, 2002 at 7:30 p.m. in the hospitality room.

Attendance was recorded as follows. Directors: Adam Landsman, Wayne Lau, Stu Baker, Bill Waterston, Bob Doak, Gera-Lind Kolarik (7:40 p.m.), Randy Mehrberg (7:50 p.m.); Robert Alva, Dean Caputo, and Kamran Jeffery, Standard Parking; Joe Bright, Wolin-Levin; Debra Russo, Recording Secretary.

I CALL TO ORDER:

The Board of Directors Meeting of February 12, 2002, was called to order at 7:32 p.m., by Board President Adam Landsman. A quorum was noted.

II SECRETARY'S REPORT:

a) Minutes of January 8, 2002 Board Meeting

Mr. Lau reported that the Board had been given the opportunity to review the minutes of January 8, 2002 in advance of the meeting, and stated that no changes had been suggested to the draft minutes. Mr. Lau called for final comments or corrections, there were no additional changes.

Upon motion duly made, Mr. Doak motioned to approve the January 8, 2002 Board Meeting minutes as presented, seconded by Mr. Baker, and unanimously carried, the following resolution was approved:

RESOLVED – That the Board of Directors of the Pierre Condominium Association, hereby, approve the January 8, 2002 Board Meeting minutes, as presented.

In Favor: Mr. Landsman, Mr. Lau, Mr. Baker, Mr. Waterston, Mr. Doak.

Note: Ms. Kolarik and Mr. Mehrberg were not present for this resolution.

III GARAGE OPERATION REPORT:

Mr. Robert Alva, Mr. Dean Caputo, and Mr. Kamran Jeffery, representatives from Standard Parking the new garage management company reported on January, their first month of operation.

Currently there are 83 autos in the garage (77 residents and 6 non residents). Questions on billing and payment procedures, coupons, car washes, daily maintenance, requests and damage claims were addressed. Mr. Alva said that the monthly statements are generally available on the 15th, but due to the initial start up, the February statements were late. Standard Parking will be negotiating with neighboring buildings in an effort to increase revenue from daytime and out of building parkers.

A magnetic sign-out board has been installed in the garage for owners/residents, who schedule a day in advance the time they'll be requiring their vehicle. Standard may also incorporate use of the sign-out book for longer term scheduling, and will maintain duplicate keys in a lockbox for owners requesting that service. The Board also suggested reinstalling the alarm or buzzer system that could be heard on the lower levels to notify the garage attendant.

An attending owner expressed dissatisfaction in how his damage claim was handled by Standard Parking. Mr. Alva apologized for an unusually long response time on the part of Standard Parking and offered to resubmit the claim. He noted, however, throughout the industry, claims that are reported after the vehicle leaves the premises are generally denied. The owner was reminded that he can also request an arbitration hearing if not satisfied with the outcome of the claims process.

IV 2120 CONSTRUCTION PROJECT CLAIM/REPORT/DAMAGES:

a) Claim Hearing

Mr. Landsman the Board President provided an update on the pending claim for damages to the Pierre as a result of the 2120 Construction Project. He reported that the hearing, originally called by the judge for January 16, 2002, was postponed, because the Ritter Group failed in having the completed report. The judge felt that neither side was prepared to discuss settlement, and rescheduled the hearing to April. The Ritter Group now claims that they will have the completed report by early this next week. Mr. Landsman then presented a timetable of what is expected during the next two months.

A final agreement had been reached by Travelers Insurance (originally agreed upon but rescinded), to pay for the Wiss, Janney, Elstner engineering costs for unit inspections needed in verifying the claim.

b) Damage Report

Each unit owner will receive a final draft repair estimate for their unit to be checked and confirmed, and will have up to 30-days to respond with their acceptance or corrections. For those units without any damage, they will also receive documentation requiring confirmation.

c) Common Element Joint Repairs

Mr. Landsman also presented an update on both the completed and work in progress for the common element concrete Joint Repair Project performed by Berglund Maintenance in the AN and BN units, common hallways and storage locker area.

The joint repairs are planned to be implemented in three scheduled stages. It was noted that AN and BN unit owners wishing to have the joint repairs completed at this time or in the near future, should contact Joe Bright, the property supervisor for scheduling.

V UNIT OWNER DISPUTE:

a) Removal of Vent Ducts

The Board revisited a request from a unit owner who approached the Board with several demands regarding the removal of duct work in their unit. The owners are planning to renovate the loft in their unit and claim the ducts prevent them from using space that is rightfully theirs. They are requesting that the Association remove the duct work in a specific area of their unit and also feel that they've been paying a portion of their assessment for unusable space and wish reimbursement.

The Board responded with the Attorney's opinion on the assessment issue, and raised questions as to the specific area. After a lengthy discussion, the Board agreed to obtain estimates for the required work and review the issue at the next Board meeting.

Upon motion duly made, Mr. Landsman motioned to obtain an estimate and relocation plan for the 11th floor unit, seconded by Mr. Doak, and unanimously carried, the following resolution was approved:

RESOLVED – That the Board of Directors of the Pierre Condominium Association, hereby, engage one of the Association's HVAC consulting engineers to provide a relocation plan and proposal for all related costs for the required work.

At 8:55 p.m. Mr. Landsman had to be excused, and Mr. Baker, vice president, conducted the remainder of the meeting.

VI TREASURER'S REPORT:

a) Finance Report

The Association's Treasurer Bob Doak, presented a brief summary of the financials indicating that everything was in line as he predicted. He also indicated that the accumulated totals received to date for the Garage Renovation Project are less than what was budgeted.

Mr. Doak further reported that approximately half of the unit owners have paid their special assessments in full. Funds totaling approximately \$290,000 will be transferred to the Harris Bank for capital projects. Management was also asked to transfer approximately \$30,000 in excess cash from the operating account to reserves. As approved at the last meeting, \$96,000 from each investment account was invested in CD's. The current value on the Xerox stock is approximately \$62,000.

b) Statement of Reserves

The Association's general reserve account was \$258,114 as of February 11, 2002, and the separate account for payments from partial insurance settlements from the 2120 Construction Project related insurance claims was \$351,465 as of February 11, 2002.

VII MANAGEMENT REPORT:

a) Common Element Joint Repairs

Management reported that Berglund Maintenance has completed the first round of concrete joint repairs in the AN & BN tiers and hallways. Unit owners have been very cooperative.

Some unexpected underlying damage was discovered in the storage area which requires moving of several lockers and then completing the recommended repairs. After completion, Wiss Janney Elstner will be submitting a report to the Board.

Additional information will be distributed to the AN & BN tier unit owners regarding future joint repairs and they will be advised to schedule repairs with Management.

b) Garage Reconstruction Project

The Board conducted a walk through with Mr. John Fodor the senior engineer from Eskenazi, Farrel & Fodor and Mr. Donald Redar the contractor from Takao Nagai Associates, discussing and noting a number of issues that were indicated to be outside the original scope of the repair work.

An estimate for the additional repairs was submitted by EFF. The Board and Management indicated they needed time to determine the urgency of the repairs, how long the repairs are anticipated to take, and how the cars can be accommodated while the work is being done and will be discussed at the next meeting.

Management also gave an update for the second and third phase payments that were made to Takao Nagai Associates for the garage construction work, they had requested payments due under the garage construction contract totaling \$289,000. A copy of the request was sent to the Harris Bank along with a check.

c) Construction Rules

Management reported that the draft construction rules had been mailed to all unit owners currently on record in January.

d) Painting the Bike Room

Notices were distributed to unit owners advising them of the need to move their bikes from the bike room for a short period on or about February 18, 2002 for complete painting of the room.

e) Garage Overhead Doors

Management received three estimates for the replacement of both overhead doors in the garage. The Board reviewed the proposals and concluded that some additional work should be performed.

Upon motion duly made by Mr. Waterston, to accept the proposal from Raynor for the garage doors, seconded by Mr. Baker, and unanimously carried, the following resolution was approved:

RESOLVED – That the Board of Directors of the Pierre Condominium Association, hereby, approve the proposal from Raynor Door Company for the installation of two steel insulated flush sectional overhead garage doors for a total cost of \$7,488.00.

Note: Mr. Landsman was not present for this resolution.

f) Insurance Claim

Management reported that the Association received a letter seeking relief for damages from an individual unit owners insurance claim resulting from a pool leak. The matter has been turned over to the Association's insurance agent for settlement.

g) Wolin-Levin Monthly Statement

Management indicated that the January Special Assessment balances and the \$86.00 monthly parking fees billed by Wolin-Levin (for those unit owners utilizing the garage in January and February) should be corrected and properly reflected in the March monthly assessment statements. As the funds are collected, they will be forwarded to Harris Bank.

VIII OLD BUSINESS:

a) Pioneer Parking

The Association's Treasurer Bob Doak, presented an accounting of the outstanding amounts from Pioneer Parking and the presumed amounts due Pioneer from the Association for lost revenue and any funds expended for repairs and or improvements reimbursable by the Association because of the garage closing. After conducting an in depth analysis of all issues and funds, making appropriate adjustments for unpaid rental fees, as well as taking into account missed car washes and coupon purchases, a fair and amenable settlement was reached.

Owners were reminded that if they have a deposit or an advance payment balance outstanding with Pioneer Parking they need to contact Pioneer directly to recover those monies.

Upon motion duly made by Mr. Doak, to accept the settlement offer negotiated with Pioneer Parking, seconded by Mr. Mehrberg, and unanimously carried, the following resolution was approved:

RESOLVED – That the Board of Directors of the Pierre Condominium Association, hereby, approve the proposal negotiated with Pioneer Parking for payment to the Association for outstanding balances owed for the operation of the garage during August and September 2001 resulting in a total amount of \$1,800.00.

Note: Mr. Landsman was not present for this resolution.

b) Fines and Penalties

The Association's Secretary Wayne Lau noted from the previous Board meeting that the Association has never established the amounts for fines and or penalties as called for in the Rules and Regulations. He drafted a proposed listing comprised of a simple fee structure for minor and major infractions and presented to the Board for review and consideration.

Upon motion duly made by Mr. Lau, to accept the simple fee structure for minor and major infractions as presented, seconded by Mr. Baker, and unanimously carried, the following resolution was approved:

RESOLVED – That the Board of Directors of the Pierre Condominium Association, hereby, approve the Fees/Fines for minor and major infractions and incorporate as part of the existing rules and regulations.

Note: Mr. Landsman was not present for this resolution.

(The Pierre Condominium Association Rules And Regulations Addendum for Fees And Fines is attached as part of these minutes.) This should be inserted into your unit owner's copy of the Rules and Regulations.

IX NEW BUSINESS:

a) Right of First Refusal

Management reported on the following sales: unit 3FN sold for \$185,000, and unit 10AS sold for \$265,000.

Upon motion duly made by Mr. Baker, seconded by Mr. Doak, and unanimously carried, the following resolution was unanimously approved:

RESOLVED – That the Board of Directors of the Pierre Condominium Association, hereby, ratify approval for the sale of units 3FN and 10AS and waive the Association's right of first refusal.

Note: Mr. Landsman was not present for this resolution.

X COMMITTEE REPORTS:

a) Construction Rules Committee

The draft construction rules have been mailed to all unit owners, there will be a unit owners meeting to review and comment on the newly proposed "Construction Rules For Unit Renovation" on Tuesday, February 26, 2002 at 7:30 p.m. in the hospitality room. After the unit owners meeting, any necessary changes will be incorporated and presented to the Board on March 12, 2002 for approval.

b) Window Committee – Replacement Survey Results

The committee reported that a second window survey/questionnaire was distributed to the unit owners and that 53 survey responses have been received to date. The committee indicated that they are still interested in getting surveys from any owner who has not submitted one.

Window replacement is a fairly high priority for most owners, since about 80% of the owners ranked their current windows as either fair or poor.

Committee members contacted Traco Windows, one of the window manufacturers currently under consideration for our replacement windows and will have them make a technical presentation to the window committee, unit owners are also invited, on Thursday, February 21st at 7:00 p.m. in the hospitality room.

XI OWNERS COMMENTS/QUESTIONS:

The Board addressed comments and questions from attending owners.

a) Doorman Station Distractions

An owner reported that the door staff is frequently inattentive to their responsibilities because they're watching TV. Discussions over the allowance of the TV versus a radio concluded with Management agreeing to resolve the situation with the doormen.

b) Door Frame Repair

An owner reported problems with her unit's primary entrance door. The Board indicated that the problem was most likely related to the "racking" of the door frame and correcting the door frame with any adjustments should be covered in the insurance settlement and will be completed in conjunction with the drywall repairs. Management was asked to obtain bids for the realignment of doors and frames.

c) Distribution of Notices

An owner suggested that correspondence shouldn't be delivered under apartment doors because, in many cases, they can't be slid under the doors and they're left littering the hallways. Staff will be instructed to only distribute notices if they can be slid under the doors. A list will be compiled of the units that are undeliverable and those owners will have to pick up their notices in the lobby.

d) Doorman's Surgery

It was noted that Jimmy Oliver one of our doormen, was recently hospitalized and has had two surgical procedures. Get well cards are being collected and will be delivered to Jimmy in the hospital. The Board also agreed to send flowers and candy on behalf of the Association. Our well wishes go to Jimmy for a timely recovery.

c) Kitchen Appliances

Mr. Randy Mehrberg offered to donate to the Association his like-new dishwasher, oven and cook-top for installation in the hospitality room kitchen. The Pierre is grateful to the Mehrbergs for their thoughtfulness.

XII RECESS/CLOSED SESSION/ADJOURNMENT:

With no further business to come before the regular Board meeting, and upon motion duly made by Mr. Baker, seconded by Mr. Lau, and carried, the Board recessed into a closed session of the open meeting at 10:20 p.m.

The purpose of the closed session was for the Board to review the attorneys response for relocation of specific common elements.

The closed session of the open meeting concluded and reconvened into open session at 10:35 p.m.

Upon motion duly made, and unanimously carried, the meeting adjourned at 10:35 p.m.

Respectfully Submitted,



Wayne Lau, Secretary
The Pierre Condominium Association

Debra Russo, Recording Secretary