



prepared by: **FALSE CREEK MANAGEMENT (2006) LTD.**

**Attention: John Cartwright**

811 Winthrop Street, New Westminster, BC V3L 5N4

Phone: 604-395-5062 Fax: 604-395-5063

Email: fcmjohn@shaw.ca

**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON WEDNESDAY, DECEMBER 12, 2012 AT 4:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

**Council in Attendance:**

**Regrets:**

Anthony Barnes  
Susan Blundell  
Margaret Kondrosky  
Donna Lucas  
Karen Madore  
John Sanders

Guest: John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by the council president at 4:00 pm.

**ADOPTION OF PREVIOUS MINUTES**

Council directed that the minutes of the meeting of November 16 and September 19, 2012 be re-stated to include amendments put forward by council members prior to their adoption, and not as amendments to minutes already issued. Management agreed to re-state these minutes as directed.

**PROPERTY MANAGEMENT REPORT**

**Visitor Parking Passes**

The passes for 2013 have been supplied by Mariner Point, and are in the process of being distributed by the caretaker.

**Flooring Damage – 1594 Island Park Walk**

The owner contends that the plumbing contractor for the strata corporation damaged their hardwood floor in and around their ground floor powder room when attempting to clear the sewer drainage line. The contractor disputes this.

**Discussion**

Council directed Management to have the flooring repaired at strata expense, and subsequently take the matter up with the plumbing contractor.

**Paver Repair – AT Paving**

Paver repair is complete to #105-1551 Mariner Walk patio, along with a deficiency repair to 1590 Island Park Walk. Left to be completed is a patio repair to 1594 Island Park Walk.

**Discussion**

Council noted that the pavers are not level and pose a trip hazard directly to the south of the lobby entrance to 1502 Island Park walk, and directed Management to have this area re-leveled.

**BUSINESS ARISING FROM PRIOR MINUTES****Mechanical System Consulting Proposal – RDH Engineering Ltd.**

RDH Engineering submitted a proposal at the request of Council to investigate ongoing problems with sanitary drainage in Building F. The suggested cost structure for the first phase of this investigation is \$5,000 (plus applicable taxes) for consulting time, along with an additional \$5,000 for the cost of site work, including any excavation required.

The purpose of this first phase of investigation would be to investigate the cause of the drainage problems and to propose appropriate solutions.

Action steps include the following:

- 1) Issue questionnaires to affected residents
- 2) Review the original mechanical design
- 3) Review documentation related to prior drainage repair work
- 4) Meet with municipal officials to verify locations and depth of sanitary sewer connections
- 5) Perform on-site investigation to include:
  - (a) a visual review of the interior conditions of each strata lot
  - (b) Assess the condition of the ground floor slab, its' slope and elevation
  - (c) Video camera inspection of the drain lines from the interior
  - (d) Selected exterior excavation
- 6) Develop a scope of work for renewal and repair work to the sanitary drainage system in Building F.

**Discussion**

Council members decided that in view of the considerable investment made by the Strata Corporation over the past ten years in addressing the sanitary drainage issues, along with the realization that the underlying issues were still present, it was decided that this would represent a responsible expenditure.

**Council Resolution**

It was **RESOLVED** (Madore/Kondrosky) that RDH Engineering Ltd. be engaged to perform a review and investigation of the sanitary drainage issues in Building F at a budgeted consulting cost of \$5,000 plus applicable taxes and additional expenditures for outside costs of investigation.

**MOTION CARRIED.**

**Subcommittee Report – Ground Lease Renewal**

Council and Committee member Donna Lucas attended the Annual General Meeting of the False Creek South Neighbourhood Association held December 5, 2012. The minutes of this meeting can be viewed using the following link:

**[http://www.falsecreeksouth.org/2012%20Minutes/December\\_2012\\_AGM.pdf](http://www.falsecreeksouth.org/2012%20Minutes/December_2012_AGM.pdf)**

**Discussion**

Several Council members voiced the opinion that the mandate of the Association is too broad to properly address the ground lease renewal issue, and that the strata corporation might be better served directly addressing the matter with municipal officials.

**Request for Reimbursement of Costs – 1573 Mariner Walk**

Management and the council president recently met with this owner to discuss out of pocket expenses incurred by the owner in connection with water damage caused by a water leak from an adjacent strata lot. The owner considered it

requisite that he should be financially impacted by damage that was not of his doing. In particular, the owner felt that the strata corporation should commit to covering all additional financial costs incurred by all owners in connection with an insurance loss.

#### **Discussion**

Council decided that when possible, Management should assist affected owners in obtaining reimbursement for out of pocket expenses from the owner from whose strata lot the damage emanated. However, Council stopped short of taking a position that would see all owners reimbursed for all out of pocket costs related to damage incurred from another strata lot.

Council reaffirmed its commitment to contribute to owner's personal insurance deductible in cases where the source of loss was entirely from common property or a common asset.

#### **CORRESPONDANCE**

No correspondence was presented at this meeting.

#### **FINANCIAL REPORT**

Consideration of the Operating Statement for the Eight Months ended October 31, 2012 was deferred.

#### **NEW BUSINESS**

##### **Depreciation Report**

Council members discussed the upcoming requirement for a Depreciation Report, and decided that the issue would not be addressed until the next Annual General Meeting.

##### **Housekeeping – Hallway Lighting**

One council member noted that a number of the plastic lenses covering the fluorescent light fixtures in the stairwells are dirty and require cleaning. Management will address this with the caretaker.

##### **Allocation of Water Damage Costs to 1519 Mariner Walk.**

Council member Margaret Kondrosky left the meeting at this point. The owners of 1519 Mariner Walk requested that Council reconsider its decision to charge back the entirety of water damage costs incurred in the repair of 1511 Mariner Walk, which is directly underneath 1519 Mariner Walk. The reason for this request is that the extent of water damage appears disproportionate to the known cause, which was a pin-hole leak in the water supply line to the refrigerator in 1519 Mariner Walk.

Council reviewed submissions from the Plumbing Maintenance Company along with the Restoration Company. The Plumbing maintenance company in particular submitted that the damage to the bedroom area was separated from the known source of water penetration by a sufficient distance that the cause of this water damage could not be properly attributed.

#### **Discussion**

Council directed Management to charge back the water damage costs directly related to the area of damage underneath the kitchen of 1519 Mariner Walk, which included the hallway, dining room, and entrance area, but to exclude the damage incurred in the second bedroom

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:15pm. The next regular meeting is scheduled for Wednesday, January 11, 2013 at 4:00pm in the meeting room at 1501 West First Avenue, Vancouver, B.C.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright

Agent for Owners, Leasehold Strata Plan VR2096

**MINUTES RETENTION**

It is recommended that owners retain their copies of all minutes for their own future reference and, for use by Realtors and prospective purchasers from whom such requests are increasing, upon listing of their strata lot for sale. Please note that there is a charge for the cost of photocopying and providing back issues of minutes and/or financial statements.

**INSURANCE**

The Strata Corporation wishes to remind all residents that, while the building is adequately insured, *including your strata lot*, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to personal coverage required including loss of rents or loss of use in the event of a major water escape, etc



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**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON FRIDAY, NOVEMBER 16, 2012 AT 2:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

**Council in Attendance:**

Susan Blundell  
 Margaret Kondrosky  
 Donna Lucas  
 Karen Madore  
 John Sanders

**Regrets:**

Anthony Barnes

Guests: John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by the council president at 2:05pm.

**ADOPTION OF PREVIOUS MINUTES**

It was **RESOLVED** (Madore/Blundell) that the minutes of the regular council meeting held September 19, 2012 be accepted as circulated.

**MOTION CARRIED**

**BUSINESS ARISING FROM PRIOR MINUTES**

**1579 Mariner Walk Repairs – Flood Damage**

This restoration work is complete and all accounts have been rendered. The total cost associated with this work is as follows:

Common Property Repair not covered by insurance	\$ 12,872.06
Costs Applicable to Insurance Claim	<u>\$ 17,918.12</u>
Aggregate Total Cost	\$ 30,790.18

**Apportionment of Costs**

**To the Account of the Strata Corporation**

Strata Common Property Repair	\$ 12,872.06
Insurance Deductible	\$ 15,000.00
Agreed Reimbursement to Owner	<u>\$ 960.00</u>
Total Strata Portion	\$ 28,832.06

**To the Account of the Insurance Company**

Total Interior Restoration Cost	\$ 16,958.12
less: Insurance Deductible	<u>\$(15,000.00)</u>
Net Insurance Cost	\$ 1,958.12

Council at its September regular meeting authorized, as an emergency expenditure, with withdrawal of funds in the amount of \$15,738.51. Management advised that the balance of the Strata Corporation's cost, \$ 13,093.55, should also be considered as an emergency expenditure.

**Council Resolution.**

It was therefore **RESOLVED** (Kondrosky/Madore) that the balance of repair costs applicable the water damage claim in 1579 Mariner Walk, in the amount of \$ 13,093.55, be considered as an emergency expenditure, to be withdrawn from the Contingency Reserve Fund.

**MOTION CARRIED.**

*The Strata Corporation wishes to remind all residents that, while the building is adequately insured, including your strata lot, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to personal coverage required including loss of rents or loss of use in the event of a major water escape, etc. The current insurance deductible for water damage is \$20,000 effective August 1, 2012, so it is imperative that owners properly insure their unit for liability in the case where the deductible is charged back to the strata lot owner.*

**Patio Paver Re-leveling**

AT Paving Stones has completed the repair to the patio of #105-1551 Mariner Walk. Left to be completed is a deficiency repair to 1590 Island Park Walk, and a repair to 1594 Island Park Walk.

**Mariner Point Joint Cost Sharing.**

Management reviewed with council a credit note supplied by Mariner Point in the amount of \$ 7,927.11, which represents a 50% share of reserved parking stall rental in the Visitor parking area retroactive to November 1, 2012.

**Discussion**

Council directed that Management add to the account charges for past use of the tractor, and that with that one amendment, it was in agreement with the status of the account between the two strata corporations.

**Sewer Backup – Building F**

Management advised council that a proposal from RDH Engineering has been solicited to provide a professional opinion regarding the sanitary sewer drainage issues in Building F, but that as of the date of the council meeting, that proposal had yet to be received.

**Operation of a Bed & Breakfast Business out of a Strata Lot**

Further to inquiries from owners as to why this business was still being advertised on a website as a bed & breakfast operation, Management wrote to the owner requesting clarification. The Owner advised that the operation had indeed been ceased and is no longer in operation

**Ground Lease Working Group.**

Council member Donna Lucas provided an update to Council regarding the ongoing work by the False Creek South Planning Committee ("FCSPC").

**Final Fourth Floor Deck Repair**

The installation of new deck tile in suite #402-1502 Island Park Walk has been completed, with costs to be forwarded to Management. The material used was a molded plastic, and this installation will be monitored to determine its durability in the face of full exposure to the weather.

**Common Area Repainting**

Management advised that it had awarded the contract for painting all townhouse door trim and the garage doors in Building F, but that the contractor had yet to commence the work.

**Discussion**

Council directed that this work commence as soon as possible, weather permitting.

**CORRESPONDANCE****Request for Reimbursement**

One Owner has requested that Council consider reimbursing the owner for additional costs not covered by their own insurance in the case of a water damage repair that came from an adjacent strata lot.

**Request for Reimbursement – 1511 Mariner Walk**

The owner of this strata lot has requested that the Strata Corporation consider reimbursement of the expense to dismantle, repair, and reinstall the owner's Murphy Bed subsequent to a flood repair recently completed.

**Discussion**

Council reviewed the matter, and directed that Management advise the owner that as this constitutes an owner improvement, that the owner should seek reimbursement from their own insurance company.

**Council Vacancy**

One owner expressed interest in serving on council. Management advised Council that since it has one vacancy, it can appoint a new member at any time prior to the next Annual General Meeting.

**Discussion**

Council decided that this vacancy be communicated to all owners, so that any interested owners can step forward. Therefore, any interested owners wishing to serve on council are invited to express their interest to Management, which will then be forwarded to Council for consideration.

**FINANCIAL REPORT**

It was **RESOLVED** (Sanders/Kondrosky) that the Operating Statement for the seven months ended September 30, 2012 be accepted as circulated.

**MOTION CARRIED**

	Seven Months To Date		
	Mar - Sep 12	Budget	Budget Variance
<b>Income</b>			
Interest Income	9.44	0.00	9.44
Maintenance Income	242,838.47	242,838.54	-0.07
Other Income	1,000.00	0.00	1,000.00
<b>Total Income</b>	<b>243,847.91</b>	<b>242,838.54</b>	<b>1,009.37</b>
<b>Expense</b>			
General and Admin.	54,448.56	58,053.30	-3,604.74
Repairs and Maintenance	122,823.91	102,199.95	20,623.96

Salary Expense	29,684.17	28,875.00	809.17
Utilities	48,925.48	46,316.65	2,608.83
<b>Total Expense</b>	<b>255,882.12</b>	<b>235,444.90</b>	<b>20,437.22</b>
Contingency Res Contribution			
CRF Apartment Distribution	-12,201.21	-12,201.21	0.00
CRF Townhouse Contribution	19,594.82	19,594.82	0.00
<b>Total Contingency Res Contribution</b>	<b>7,393.61</b>	<b>7,393.61</b>	<b>0.00</b>
<b>Net Income</b>	<b>-19,427.82</b>	<b>0.03</b>	<b>-19,427.85</b>

#### Disposition of Contingency Reserve Fund as at September 30, 2012

<b>Contingency Res Fund - Townhouse</b>	
Contingency Reserve -Opening	24,741.48
Contingency Contributions	19,594.82
Emergency Expenditure	-4,104.97
Interest	149.61
Loan to Operating Fund (TNH)	-20,180.19
<b>Total Contingency Res Fund – Townhouse</b>	<b>20,200.75</b>
<b>Contingency Reserve Fund-Apartment</b>	
Contingency Reserve -Opening	99,418.27
Contingency Distribution	-12,201.21
Emergency Expenditure	-5,524.34
Interest	201.31
Loan to Operating Fund (APT)	-27,157.80
<b>Total Contingency Reserve Fund-Apartment</b>	<b>54,736.23</b>

#### Contingency Reserve Funds Held as at September 30, 2012

Term Deposit held in Trust	\$ 50,000.00
Savings Account held in Trust	\$ 24,931.86
<b>Total Funds Held</b>	<b>\$ 74,931.86</b>

#### Loan Balance – Contingency Reserve Lent to Operating Fund as at September 30, 2012.

\$ 47,337.99

#### NEW BUSINESS

##### 10 Year Building Envelope Warranty Review – RDH Engineering Ltd.

Management advised Council that RDH had been commissioned to perform a warranty review as the first building envelope warranty expired November 1, 2012. This report was completed, and submitted to the warranty providers on October 31, 2012. Management will post copies of this report on Management's website for viewing by any interested owners.



**Management Website [www.falscreekmanagement.ca](http://www.falscreekmanagement.ca)**

Management received a request from an owner that they receive e-mail notification when minutes are posted to Management's website. Currently only one-third of owners have provided an email address to management for this purpose.

**Discussion**

Council directed that notices be posted in all common areas reminding owners of how the meeting minutes and other relevant documentation can be accessed, and requesting that all owners wishing to have notification of minutes being posted provide their email address to management for this purpose.

**Common Area Cleaning**

One Council member noted that many of the common area light fixtures need their lens coverings cleaned, particularly in the stairwells. Management will direct the Site Caretaker accordingly.

**Plumbing Vibration**

One council member noted that the plumbing lines in the owner's strata lot are prone to noisy vibration. Management will discuss this concern with the Mechanical Maintenance Contractor.

**Fire Alarm – 1551 Mariner Walk**

On Sunday, November 11, 2012, the City of Vancouver Fire Department attended an alarm at the building. The cause appears to be smoke from an in-suite fireplace that activated a smoke alarm in the common hallway. The Fire Department noted that the fire panel re-set itself to "trouble" mode after approximately 10 minutes, which should not occur. Management directed the Fire Safety Contractor to inspect the fire panel in 1551 Mariner Walk to rectify this malfunction.

**Discussion**

Council directed that a secure lockbox be installed in a location accessible by the Fire Department that would contain a common area access key.

Council member observed that when the fire alarm sounded, very few residents exited the building. In the event of a fire alarm, **all residents are strongly encouraged to exit the building until the premises are determined to be safe by the City of Vancouver Fire Department.**

**Overhead Gate Malfunction – 1551 Mariner Walk**

On Sunday, November 11, 2012, the overhead door underneath 1551 Mariner Walk ceased functioning. The site manager attended, and opened the gate manually. The overhead door maintenance contractor was called out the next business day to repair.

**Speed Bumps – Mariner Walk**

One Council member expressed concern that the bolts holding down the speed bumps were coming loose, and might create a hazard for pedestrians and vehicles. Management will ask Mariner Point to have these bolts re-tightened.

**Storage of Building Plans**

Phil Johnson of RDH Engineering suggested that it would be helpful if the building construction plans were transferred to a digital storage format. Council directed Management to obtain pricing on getting this accomplished.

**Address Issues – 1502 Island Park Walk**

The council member requested that Management approach the City of Vancouver to request that signage be installed on West Second Avenue informing people of the location of 1502 Island Park Walk, as the legal address of 1502 Island

ark walk is actually along the sea-wall, and on many occasions visitors try to drive in along the seawall to visit the building. Management will discuss this with the City of Vancouver.

**Uneven Pavers – Entrance to 1502 Island Park Walk**

One council member noted that pavers adjacent to the main entrance to 1502 Island Park Walk are uneven due to tree root growth, and need to be re-leveled.

**Re-Consideration of Uninsured Loss Chargeback to 1519 Mariner Walk**

The owner of this strata lot, a current council member, requested that Council re-consider its decision to charge back the costs of repairing water loss damage to 1511 Mariner Walk due to a number of factors. This owner left the meeting at this juncture.

**Discussion**

Council directed that this chargeback be held in abeyance until the next council meeting. Council further directed that Management consult with the Mechanical Maintenance Contractor, the Restoration Contractor, and the affected owner as to the cause of the water damage, as the source of water leakage seemed inordinately small compared with the level of damage incurred.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:45pm. The next regular meeting is scheduled for Wednesday, December 12, 2012 at 4:00pm in the meeting room at 1501 West First Avenue, Vancouver, B.C.

Respectfully Submitted;

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**INSURANCE**

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**CALL TO ORDER**

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Less: Insurance Deductible	<u>\$(15,000.00)</u>
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**Ground Lease Working Group.**

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**FINANCIAL REPORT**

It was **RESOLVED** (Sanders/Kondrosky) that the Operating Statement for the seven months ended September 30, 2012 be accepted as circulated.

**MOTION CARRIED**

	Seven Months To Date		
	Mar - Sep 12	Budget	Budget Variance
<b>Income</b>			
Interest Income	9.44	0.00	9.44
Maintenance Income	242,838.47	242,838.54	-0.07
Other Income	1,000.00	0.00	1,000.00
<b>Total Income</b>	<b>243,847.91</b>	<b>242,838.54</b>	<b>1,009.37</b>
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#### Disposition of Contingency Reserve Fund as at September 30, 2012

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<b>Total Contingency Reserve Fund-Apartment</b>	<b>54,736.23</b>

#### Contingency Reserve Funds Held as at September 30, 2012

Term Deposit held in Trust	\$ 50,000.00
Savings Account held in Trust	\$ 24,931.86
<b>Total Funds Held</b>	<b>\$ 74,931.86</b>

#### Loan Balance – Contingency Reserve Lent to Operating Fund as at September 30, 2012.

\$ 47,337.99

#### NEW BUSINESS

##### 10 Year Building Envelope Warranty Review – RDH Engineering Ltd.

Management advised Council that RDH had been commissioned to perform a warranty review as the first building envelope warranty expired November 1, 2012. This report was completed, and submitted to the warranty providers on October 31, 2012. Management will post copies of this report on Management's website for viewing by any interested owners.

**Management Website [www.falscreekmanagement.ca](http://www.falscreekmanagement.ca)**

Management received a request from an owner that they receive e-mail notification when minutes are posted to Management's website. Currently only one-third of owners have provided an email address to management for this purpose.

**Discussion**

Council directed that notices be posted in all common areas reminding owners of how the meeting minutes and other relevant documentation can be accessed, and requesting that all owners wishing to have notification of minutes being posted provide their email address to management for this purpose.

**Common Area Cleaning**

One Council member noted that many of the common area light fixtures need their lens coverings cleaned, particularly in the stairwells. Management will direct the Site Caretaker accordingly.

**Plumbing Vibration**

One council member noted that the plumbing lines in the owner's strata lot are prone to noisy vibration. Management will discuss this concern with the Mechanical Maintenance Contractor.

**Fire Alarm – 1551 Mariner Walk**

On Sunday, November 11, 2012, the City of Vancouver Fire Department attended an alarm at the building. The cause appears to be smoke from an in-suite fireplace that activated a smoke alarm in the common hallway. The Fire Department noted that the fire panel re-set itself to "trouble" mode after approximately 10 minutes, which should not occur. Management directed the Fire Safety Contractor to inspect the fire panel in 1551 Mariner Walk to rectify this malfunction.

**Discussion**

Council directed that a secure lockbox be installed in a location accessible by the Fire Department that would contain a common area access key.

Council member observed that when the fire alarm sounded, very few residents exited the building. In the event of a fire alarm, **all residents are strongly encouraged to exit the building until the premises are determined to be safe by the City of Vancouver Fire Department.**

**Overhead Gate Malfunction – 1551 Mariner Walk**

On Sunday, November 11, 2012, the overhead door underneath 1551 Mariner Walk ceased functioning. The site manager attended, and opened the gate manually. The overhead door maintenance contractor was called out the next business day to repair.

**Speed Bumps – Mariner Walk**

One Council member expressed concern that the bolts holding down the speed bumps were coming loose, and might create a hazard for pedestrians and vehicles. Management will ask Mariner Point to have these bolts re-tightened.

**Storage of Building Plans**

Phil Johnson of RDH Engineering suggested that it would be helpful if the building construction plans were transferred to a digital storage format. Council directed Management to obtain pricing on getting this accomplished.

**Address Issues – 1502 Island Park Walk**

One council member requested that Management approach the City of Vancouver to request that signage be installed on West Second Avenue informing people of the location of 1502 Island Park Walk, as the legal address of 1502 Island

ark walk is actually along the sea-wall, and on many occasions visitors try to drive in along the seawall to visit the building. Management will discuss this with the City of Vancouver.

#### **Uneven Pavers – Entrance to 1502 Island Park Walk**

One council member noted that pavers adjacent to the main entrance to 1502 Island Park Walk are uneven due to tree root growth, and need to be re-leveled.

#### **Re-Consideration of Uninsured Loss Chargeback to 1519 Mariner Walk**

The owner of this strata lot, a current council member, requested that Council re-consider its decision to charge back the costs of repairing water loss damage to 1511 Mariner Walk due to a number of factors. This owner left the meeting at this juncture.

#### **Discussion**

Council directed that this chargeback be held in abeyance until the next council meeting. Council further directed that Management consult with the Mechanical Maintenance Contractor, the Restoration Contractor, and the affected owner as to the cause of the water damage, as the source of water leakage seemed inordinately small compared with the level of damage incurred.

#### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 4:45pm. The next regular meeting is scheduled for Wednesday, December 12, 2012 at 4:00pm in the meeting room at 1501 West First Avenue, Vancouver, B.C.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright  
Agent for Owners, Leasehold Strata Plan VR2096

#### **MINUTES RETENTION**

It is recommended that owners retain their copies of all minutes for their own future reference and, for use by Realtors and prospective purchasers from whom such requests are increasing, upon listing of their strata lot for sale. Please note that there is a charge for the cost of photocopying and providing back issues of minutes and/or financial statements.

#### **INSURANCE**

The Strata Corporation wishes to remind all residents that, while the building is adequately insured, *including your strata lot*, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to personal coverage required including loss of rents or loss of use in the event of a major water escape, etc.





Prepared by: **FALSE CREEK MANAGEMENT (2006) LTD.**

**Attention: John Cartwright**

811 Winthrop Street, New Westminster, BC V3L 5N4

Phone: 604-395-5062 Fax: 604-395-5063

Email: fcmjohn@shaw.ca

**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON WEDNESDAY, SEPTEMBER 19, 2012 AT 4:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

**Council in Attendance:**

**Regrets:**

Anthony Barnes

Margaret Kondrosky

Susan Blundell

Donna Lucas

Karen Madore

John Sanders

Guests: John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by the council president at 4:00pm.

**ADOPTION OF PREVIOUS MINUTES**

It was **RESOLVED** (Madore/Barnes) that the minutes of the regular council meeting held August 8, 2012 be accepted as circulated.

**MOTION CARRIED**

**PROPERTY MANAGEMENT REPORT**

**1579 Mariner Walk Repairs**

Management has not yet received confirmation that the work is completed and accepted by the owner and adjuster. It is expected that the Strata Corporation will be rendered an invoice for the deductible balance, which is \$15,000 less emergency restoration cost to date of \$ 2,866.45, for a net additional cost of \$12,133.55.

**1511 Mariner Walk – Broken Supply Line to Fridge**

1511 Mariner Walk was recently flooded. The cause of this leak from the unit above appears to be two breakages in the water supply line to the refrigerator originating in 1519 Mariner Walk. In addition, since this loss occurred after August 1, 2012, the deductible has risen to \$25,000. VR Home Services has quoted \$8,500 plus tax to do the repair work. An additional quotation has also been solicited from Angel Restoration.

**Paver Repair to Ground Level Patios**

Water continues to pool on the patio at 105-1551 Mariner Walk, although it is removed from the area where building envelope warranty work was recently completed. Management has engaged AT Paving Stones, who have done recent work around the building, to review and reset the pavers to improve drainage. In addition, repair is required to sunken pavers at 1594 and 1590 Island Park Walk. (Repair to 1590 Island Park Walk will be repaired at no additional cost as it is deficiency repair from work completed earlier)

**Apartment Mailboxes.**

Action Lock and Security quotation for the replacement mailboxes has been received, but is substantially in excess of the budget approved for this purpose. The expenditure has been deferred for the time being.

**Sewer Backup – Building F**

A sewer backup was reported in 1594 Island Park Walk. In attempting to clear the line, the plumbing snake became lodged in the sewer line. After considerable effort, including breaking through the garage floor, the snake has now been satisfactorily removed. The issue remains that this sewer line system that services Building F is continually prone to backup. Management contacted Sterling Cooper Mechanical Engineering, the original consultant to the project, to determine whether they can be of assistance in rectifying this problem.

**Discussion**

Council asked Management to consult with the Mechanical Maintenance Contractor to determine whether installing a manhole access at the lower end of Building F would assist in maintaining a clear sewer line.

**Door Trim (32)/Garage Trim (5)**

Two quotations have been received to repaint all Townhouse door trim, and garage doors serving five townhouses

VR Home Services	\$ 70 each plus hst per door plus \$150 plus hst per garage door =	total \$ 3,348.80
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Renotech	\$ 85 each plus hst per door plus \$ 125 plus hst per garage door =	total \$ 3,746.40
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**Discussion**

Council authorized VR Home Services to perform the work, weather permitting.

**OLD BUSINESS****Audit Proposal – Manning Elliot**

No direction has been given to the auditor as of the council meeting date.

**Discussion**

Council requested that the auditor be engaged to review the process by which the council arrived at the amounts to be adjusted between the townhouse and apartment strata lots, both for the operating fund and the Contingency Reserve Fund. Council instructed Management to finalize the engagement of the Auditor on this basis.

**Operation of Bed and Breakfast Business out of a strata lot.**

Management reviewed with Council recent correspondence with the owner who had been operating a Bed and Breakfast operation out of the Owners' strata lot. The Owner has advised Management that the Business is no longer operating. Council expressed concern that the website advertising this business is still in operation, and asked Management to continue to monitor the matter.

**Chargeback of Insurance Deductible – 1523 Mariner Walk**

Management reviewed with council the circumstances surrounding the rupture of a water supply line in 1523 Mariner Walk. The line breakage was to a pipe that is contained wholly within the strata lot, and this pipe did not serve as supply to any other strata lot. Accordingly, Management recommended that the insurance deductible be charged back to the strata lot owner, to be claimed on their personal homeowner's insurance policy.

**Council Resolution**

It was **RESOLVED** (Blundell/Barnes) that the cost of the insurance deductible for the water damage loss in 1523 Mariner Walk and adjacent strata lots be charged back to the owner of 1523 Mariner Walk. **MOTION CARRIED**

Chargeback of Insurance Deductible – 1519 Mariner Walk

Management reviewed with council the circumstances regarding recent water damage caused by water escape from 1519 Mariner Walk. Management advised that the Walk would be in the order of \$11,000, well below the current amount of the deductible which increased to \$25,000 as at August 1, 2012. Management advised that there was a perforated water supply line to the refrigerator in 1519 Mariner Walk.

Council Resolution

It was **RESOLVED** (Blundell/Barnes) that the cost of the insurance deductible for the Walk be charged back to the owner of 1519 Mariner Walk.

Mariner Point Joint Cost Discussion

As of the date of the meeting, no agreement has been finalized with Mariner Point regarding joint costs and the parking stalls in the visitor parking area.

Discussion

Council reviewed the request from Mariner Point to contribute 30% of the cost of a new overhead door access to 1510 West First Avenue. Council directed Management that in the event of a written agreement between the two strata corporations, that Lagoons (VR2096) would consent to paying this proportionate share of the gate replacement.

Ground Lease Working Group.

Council determined that the above noted working group would be comprised of the following owners:

- Anthony Barnes
- John Sanders
- Allan Herbert
- Cynthia Grauer
- Donna Lucas

The focus of this group would be the following:

- Demonstrate concrete evidence of personal hardship to those owners facing the uncertainty of how the ground lease would be renewed or terminated,
- Explore avenues for property tax deferral for owners facing personal hardship.
- Clarify the exit terms of the ground lease agreement should the City of Vancouver elect to terminate the lease, which would include the formula used to calculate financial compensation to Owners for the value of the improvements to the land, whether this would be based on comparable fee simple market value, or a residual approach to valuation of the strata lots.

CORRESPONDANCE

No correspondence was reviewed at this meeting.

FINANCIAL REPORT

It was **RESOLVED** (Madore/Barnes) that the Operating Statement for the six months ended August 31, 2012 be accepted as circulated.

**MOTION CARRIED**

	Six Months Year to Date		
	Mar - Aug 12	Budget	\$ Over Budget
<b>Income</b>			
Interest Income	8.30	0.00	8.30
Maintenance Income	208,147.26	208,147.32	-0.06
Other Income	600.00	0.00	600.00
<b>Total Income</b>	<b>208,755.56</b>	<b>208,147.32</b>	<b>608.24</b>
<b>Expense</b>			
Total General and Admin.	46,422.52	49,759.96	-3,337.44
Total Repairs and Maintenance	133,725.48	87,599.94	46,125.54
Total Salary Expense	25,220.07	24,750.00	470.07
Total Utilities	36,800.31	39,699.98	-2,899.67
<b>Total Expense</b>	<b>242,168.38</b>	<b>201,809.88</b>	<b>40,358.50</b>
Contingency Res Contribution			
CRF Apartment Distribution	-10,458.18	-10,458.18	0.00
CRF Twnhse Contribution	16,795.56	16,795.56	0.00
Contingency Res Contribution - Other	0.00	0.00	0.00
<b>Total Contingency Res Contribution</b>	<b>6,337.38</b>	<b>6,337.38</b>	<b>0.00</b>
<b>Net Income</b>	<b>-39,750.20</b>	<b>0.06</b>	<b>-39,750.26</b>

#### Disposition of Contingency Reserve Fund as at August 31, 2012

##### Contingency Res Fund - Twnhouse

Contingency Reserve -Opening	24,741.48
Contingency Contributions	16,795.56
Interest	31.80
Loan to Operating Fund (TNH)	(2,406.45)

Total Contingency Res Fund - Twnhouse 39,162.39

##### Contingency Reserve Fnd-Apartmt

Contingency Reserve -Opening	99,418.27
Contingency Distributions	(10,458.18)
Interest	42.77
Loan to Operating Fund (APT)	(3,238.51)

Total Contingency Reserve Fnd-Apartmt 85,764.35

Total Contingency Reserve Funds 124,926.74

##### Contingency Reserve Trust Account Balance

Term Deposit	100,000.00
Contingency Reserve Account - Saving	24,926.74

Total Contingency Reserve Account 124,926.74

**NEW BUSINESS****Withdrawal from the Contingency Reserve Fund**

Management recommended that a withdrawal be authorized by council on an emergency basis for the known costs to date on 1579 Mariner Walk, which is \$15,738.51. Management also recommended that council approve a withdrawal from the Contingency Reserve Fund for the amount of the pressure washing, \$ 9,629.31 as authorized at the most recent Annual General Meeting.

**Pressure Washing - \$ 9,629.31**

This expenditure was approved at the most recent Annual General Meeting as a withdrawal from the Contingency Reserve Fund, but is currently reflected as an operating fund expense.

**Council Resolution**

Therefore, It was **RESOLVED** (Sanders/Barnes) that funds in the amount of \$ 9,629.31, which were spent for the purpose of pressure washing, be withdrawn from the Contingency Reserve Fund and transferred to the Operating Fund **MOTION CARRIED.**

**Repairs to Date – 1579 Mariner Walk**

Management advised that emergency repairs to date for the restoration and repair of 1579 Mariner Walk amounted to \$15,738.51, which would reasonably be considered an emergency expenditure, allowing these expenditures to be paid for out of the Contingency Reserve Fund.

**Council Resolution**

Therefore, It was **RESOLVED** (Sanders/Blundell) that funds in the amount of \$ 15,738.51, which have been spent to date on the emergency repair required to 1579 Mariner Walk, be considered an emergency expenditure, and withdrawn from the Contingency Reserve Fund **MOTION CARRIED.**

**Renovation to #302 – 1502 Island Park Walk**

Council directed Management to determine whether renovation work currently being undertaken in the captioned strata lot required a building permit, and report back to Council.

**Fourth Floor Balcony Decking Test Installation**

Council agreed to install the "Moisture Shield" modular decking tiles on the exterior balcony of #402-1502 Island Park Walk. This particular product is constructed of a molded plastic similar in appearance to wood grain, is grey in color, and is thought to be more durable than the teak decking tiles previously installed on a second floor strata lot.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:30pm. The next regular meeting is scheduled for Friday, November 16, 2012 at 2:00pm in the meeting room at 1501 West First Avenue, Vancouver, B.C.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright

Agent for Owners, Leasehold Strata Plan VR2096

**MINUTES RETENTION**

It is recommended that owners retain their copies of all minutes for their own future reference and, for use by Realtors and prospective purchasers from whom such requests are increasing, upon listing of their strata lot for sale. Please note that there is a charge for the cost of photocopying and providing back issues of minutes and/or financial statements.

**INSURANCE**

The Strata Corporation wishes to remind all residents that, while the building is adequately insured, *including your strata lot*, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to **personal coverage required** including loss of rents or loss of use in the event of a major water escape, etc

**Prepared by:** **FALSE CREEK MANAGEMENT (2006) LTD.**

**Attention: John Cartwright**

811 Winthrop Street, New Westminster, BC V3L 5N4

Phone: 604-395-5062 Fax: 604-395-5063

Email: fcmjohn@shaw.ca

**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON WEDNESDAY, AUGUST 8, 2012 AT 4:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

**Council in Attendance:**

Susan Blundell  
Judith Brown  
Margaret Kondrosky  
Donna Lucas  
Karen Madore  
John Sanders

**Regrets:**

Anthony Barnes

**Guests:** John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by the council president at 4:10pm.

**ADOPTION OF PREVIOUS MINUTES**

The minutes of the regular council meeting held July 18, 2012 were reviewed in draft form prior to publication, and finalized by council.

It was **RESOLVED** (Blundell/Sanders) that the minutes of the regular council meeting held July 18, 2012 be accepted as circulated. **MOTION CARRIED**

**PROPERTY MANAGEMENT REPORT**

**105-1551 Mariner Walk**

Building Envelope Warranty repair work is underway to the patio in front of the master bedroom of this unit. This involves excavation and removal of soil from the adjacent planter, and application of new membrane and re-sloping of the drain on the patio proper.

**Replacement of Apartment Mailboxes.**

Action Lock and Security has reported a problem with getting supply of the four mailbox units, and will investigate an alternate source for these. Pricing will be forwarded to council upon receipt by management.

**1551 Mariner Walk Pest Control**

An infestation of small beetles was reported to one unit in 1551 Mariner Walk, reportedly coming from the exterior. The Pest Control contactor was called in and the problem dealt with.

**Parking Garage Sump Pump – 1551 Mariner Walk**

During the quarterly inspection, it was discovered that one of the sump pumps was overloading the electrical circuit. The pump assembly will be pulled to inspect the wiring.

**Paver Releveling – 1590 Island Park Walk**

The owner has reported that one corner of the pond-side patio has sunken. This is a warranty repair, and AT paving stones has been contacted to return and rectify this.

**Window Repair – 207-1551 Mariner Walk**

This unit reported a cracked window. Action Glass has been dispatched to repair.

**OLD BUSINESS****Domestic Hot Water Tanks**

Council members suggested that Hillcrest Plumbing be contacted as a possible low-cost source of replacement hot water tanks. This information would then be communicated to all strata lot owners.

**Insurance Claim – 1579 Mariner Walk**

The contractor has advised our office that the interior work is now complete. The invoice for this work has been submitted to the adjuster for the insurance companies, and we will be advised in due course when the insurance deductible (\$15,000) for this work is due and payable.

**Insurance Claim – 1523 Mariner Walk**

A one inch water supply line within the strata lot developed a crack, and flooded 1523 Mariner Walk, along with two units underneath. The emergency work is now complete, and estimates for the repair portion of the work are currently in process. It has not yet been determined whether the source of this loss is the common area, or from wholly within the strata lot.

**External Audit Proposal**

Management has supplied the financial statements for the year ended February 29, 2012 to Manning Elliot, who performed the audit previously. It is expected that a proposal will be received shortly.

**Exterior Light Fixtures – 1502 Island Park Walk**

We have expanded the exterior light replacement to a total of 6 lights, five on the stairwell leading to the seawall, and one adjacent to the 1502 waterfall.

**Shared Visitor Parking – Mariner Point (Strata Plan VR1343)**

Management reported no progress on this issue subsequent to a verbal agreement with Mariner Point regarding the current status of the visitor parking area. Management further advised that invoices for shared costs rendered by Mariner Point have been held back pending resolution of this issue.

Council expressed concern that during the daytime hours, it is very difficult for visitors to The Lagoons to access visitor parking stalls, as most are occupied by outside renters.



The Council President offered to propose a meeting with the president of the Mariner Point council to attempt to formalize an agreement in writing.

### **CORRESPONDANCE**

An owner wrote to council expressing concern regarding the water quality in the west lagoon. Council directed that the milfoil previously pulled from the pond and left on the bank to dry be removed. Council discussed ongoing efforts to stem the milfoil problem, and requested that a representative from Advance Chemicals be asked to do a site visit to advise the council on how to improve the water quality in the west pond. Council members Judith Brown and Donna Lucas volunteered to collect information on what can be done to mitigate this problem.

### **FINANCIAL REPORT**

It was **RESOLVED** (Kondrosky/Madore) that the Operating Statement for the four months ended June 30, 2012 be accepted as circulated.

**MOTION CARRIED**

	<b>Four Months Mar - Jul 12</b>	<b>Year to Date Budget</b>	<b>Budget Variance</b>
<b>Total Income</b>	174,062.01	173,456.10	605.91
<b>Expense</b>			
General and Admin.	37,804.30	41,466.62	-3,662.32
Repairs and Maintenance	102,188.91	72,999.93	29,188.98
Salary Expense	21,331.97	20,625.00	706.97
Utilities	27,072.38	33,083.31	-6,010.93
<b>Total Expense</b>	188,397.56	168,174.86	20,222.70
Contingency Res Contribution	7,488.41	5,281.10	2,207.31
<b>Net Income</b>	<b>-21,823.96</b>	<b>0.14</b>	<b>-21,824.10</b>

### **NEW BUSINESS**

#### **Circulation of Minutes**

Council directed that an information circular be sent by mail to all owners to remind owners of the following

- 1) How to access regular meeting minutes through the False Creek Management (2006) Ltd. website.
- 2) Insurance issues and how they affect individual owners
- 3) Reminder that Hot Water tanks are an individual owner responsibility with tips as to how to confirm the age of the hot water tank.

#### **Report of Operation of a Bed and Breakfast from a Strata Lot**

Several residents have reported that one strata lot owner is operating a bed & breakfast out of their strata lot. Council reviewed draft correspondence to the owner setting out that this is not permissible under the bylaws of the strata corporation, and directed that this letter be sent to the owner at the earliest possible time.

**Rental Permission based on Personal Hardship**

Management reminded council that one strata lot owner currently rents out their strata lot with permission from the strata corporation based on personal hardship. This approval carries with it the opportunity to review same on an annual basis. As the owner in question has now been renting out for more than a year. Management indicated it is timely to review this approval.

**Discussion.**

Council directed that Management write to the owner and request an update of when the owner intends to re-occupy the unit, and give the owner until December 31, 2012 to re-occupy the strata lot.

**Illegal Rentals**

Reports from residents have been submitted to Management that one strata lot owner is renting out their strata lot without permission from the Strata Corporation. Management will investigate this matter further.

**Membership in the Condominium Homeowners Association ("CHOA")**

Council directed that the Strata Corporation apply for membership in CHOA, at an annual fee of five dollars per strata lot per year, plus applicable HST.

**Decking on Apartment Strata Lots**

Council member Sue Blundell updated council on inquiries into a suitable material for decking on apartment patios where the patio is in full sun exposure. The material presently in use on suite 207 – 1502 Island Park Walk appears to be working well in a shaded area, but is thought to deteriorate when placed in full sun exposure, which is the case on the fourth floor of both apartment buildings. It was recommended that instead of looking at wood products, that investigation focus on plastic or lightweight concrete decking overlays.

**Access to 1502 Island Park Walk for Emergency Vehicles**

One council member noted that emergency vehicles have difficulty accessing 1502 Island Park Walk, and in recent instances of emergency attendance at the building, the vehicles attempt to access from Anderson Road, instead of from First Avenue. Council requested that management contact "E-COMM", the agency responsible for dispatch of emergency vehicle, to attempt to correct this miscommunication.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:40pm. The next regular meeting is scheduled for Wednesday, September 12, 2012 at 4:00pm in the meeting room at 1501 West First Avenue, Vancouver, B.C.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright  
Agent for Owners, Leasehold Strata Plan VR2096

**MINUTES RETENTION**

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**Prepared by:** FALSE CREEK MANAGEMENT (2006) LTD.  
**Attention:** John Cartwright  
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Phone: 604-395-5062 Fax: 604-395-5063  
Email: fcmjohn@shaw.ca

**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON WEDNESDAY, JULY 18, 2012 AT 4:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

<b>Council in Attendance:</b>	<b>Regrets:</b>
Anthony Barnes	Judith Brown
Susan Blundell	
Margaret Kondrosky	
Donna Lucas	
Karen Madore	
John Sanders	
<b>Guests:</b>	John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by the council president at 4:00pm.

**ADOPTION OF PREVIOUS MINUTES**

**Proposed Amendment #1**

It was **RESOLVED** (Kondrosky/Blundell) that the amendment to the April 4, 2012 minutes reflected in the June 13, 2012 minutes be removed.

The June 13, 2012 approved amendment (to be removed) was as follows:

**PROPOSED AMENDMENT #1**

*That the following section be removed under **Property Management Report, Domestic Water Supply Line Breakage – 1579 Mariner Walk***

*"It was decided that in instances where the source of damage is entirely the common property or assets of the strata corporation, that the strata corporation would reimburse an owner's insurance deductible up to a level of \$500. The effective date of this policy would be as of the date of the upcoming Annual General Meeting, although an exception would be made for a recent water ingress instance to suite #107- 1551 Mariner Walk.*

*Should the source of damage be from another strata lot, this policy would not apply, and the affected owner would have to seek redress with the owner from whose strata lot the loss originated."*

**AMENDMENT CARRIED**

**Proposed Amendment #2**

It was RESOLVED (Kondrosky/Blundell) that the June 13, 2012 minutes be amended as follows:

**Addition under New Business**

**Exterior Lighting**

Council approved the replacement of a total of six exterior lights located adjacent to the lobby of 1502 Island Park Walk, five leading down to the seawall, and one next to the fountain closest to 1502 Island Park Walk. This is mandated in order to improve security for residents and visitors to 1502 Island Park Walk.

**AMENDMENT CARRIED**

It was therefore **RESOLVED** (Kondrosky/Blundell) that the minutes of the June 13, 2012 regular council meeting be approved as twice amended.

**VOTING RESULTS**

In Favour	3
Contrary	1
Abstentions	1

**MOTION CARRIED WITH AMENDMENTS.**

**Discussion**

Council directed that council meeting minutes not be published until they are approved by the strata council at the subsequent regular meeting, despite provisions in the strata bylaws.

**OLD BUSINESS**

**Repair to 1579 Mariner Walk**

Management advised that the repair was close to completion. Waterproofing work on the exterior wall where the domestic water supply line enters the strata lot is complete, and has been tested to ensure no water ingress occurs.

The Strata Corporation will be financially responsible for the following

- Plumbing Repair (\$15,340.36 to date)
- Insurance Deductible (\$15,000)
- Additional Costs related to the owners improvements (estimated at \$2,000)

Once fully complete, it will be Management's recommendation that this expenditure be deemed to be emergency in nature, and a resolution sought to withdraw these expenses from the Contingency Reserve Fund.

**Visitor Parking Strata Plan VR1343 – Mariner Point**

Management reported that the status of discussions with Mariner Point is unchanged. Although verbal agreement exists to share 50% of revenue from the reserved visitor parking stalls, nothing in writing has been received from Mariner Point and no revenue has been received. In addition, it appears that additional parking passes have been issued by Diamond Parking Service to outside users on an unreserved basis, which runs contrary to the purpose of these parking stalls.

**Shared Parking Expenses – Strata Plan VR1343 – Mariner Point.**

Invoices rendered by Mariner Point to Lagoons remain unpaid pending resolution of the parking issues. In addition, Mariner Point has invoiced Lagoons for 30% of the cost to replace one of the overhead vehicle doors into the parking area. This has not received prior written consent from Lagoons.

**Discussion**

Council president John Sanders indicated he would contact the Council President for Mariner Point to attempt to formalize agreement on these issues.

**CORRESPONDANCE**

A letter was reviewed from an owner taking issue with Management's action relating to an improperly parked vehicle. Specifically, Management directed the Caretaker to contact the owner of the wrongly parked vehicle to have the owner move it, and did not call the towing company right away as requested.

Management advised this owner that it is present practice to attempt to resolve parking disputes first with the offending resident prior to having the vehicle towed.

**FINANCIAL REPORT**

Consideration of the Operating Statement for the three months ended May 31, 2012 was deferred pending re-allocation of certain expenses and a noted error in the interest accruing on the Contingency Reserve Fund.

**NEW BUSINESS****Discretionary Projects – Outstanding Task List**

Council directed management to move forward and solicit quotations for the following:

- Audit for the fiscal year ended February 29, 2012 ( in process with Manning Elliot, Chartered Accountants)
- Repainting of all townhouse door trim and overhead door (Building F)
- Bulk Quotation for domestic water tank replacement. This was initiated by comments at the last Annual General Meeting by owners interested in replacing their own hot water tanks. (These hot water tanks generally have a ten-year suggested life-span.)
- Replacement of Apartment Mail Boxes (in process with Action Lock and Security)

**Caretaker Hours of Work**

Management has received comments from owners regarding the hours of work for the caretaker. This has been addressed with the caretaker by management.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:15pm. The next regular meeting is scheduled for Wednesday, August 8, 2012 at 4:00pm in the meeting room at 1501 West First Avenue, Vancouver, B.C.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright

Agent for Owners, Leasehold Strata Plan VR2096

**MINUTES RETENTION**

It is recommended that owners retain their copies of all minutes for their own future reference and, for use by Realtors and prospective purchasers from whom such requests are increasing, upon listing of their strata lot for sale. Please note that there is a charge for the cost of photocopying and providing back issues of minutes and/or financial statements.

**INSURANCE**

The Strata Corporation wishes to remind all residents that, while the building is adequately insured, *including your strata lot*, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to **personal coverage required including loss of rents or loss of use in the event of a major water escape, etc**

**Prepared by: FALSE CREEK MANAGEMENT (2006) LTD.**

**Attention: John Cartwright**

811 Winthrop Street, New Westminster, BC V3L 5N4

Phone: 604-395-5062 Fax: 604-395-5063

Email: fcmjohn@shaw.ca

**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON WEDNESDAY, JUNE 13, 2012 AT 4:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

**Council in Attendance:**

Anthony Barnes  
Susan Blundell  
Margaret Kondrosky  
Donna Lucas  
Karen Madore

**Regrets:**

Judith Brown  
John Sanders

**Guests:** Alan Herbert, #307-1551 Mariner Walk  
John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by the property manager at 4:00pm.

**GUEST PRESENTATION – Alan Herbert (307 – 1551 Mariner Walk)**

Mr. Herbert presented a discussion paper dealing with the Ground Lease between the City of Vancouver and Strata Plan VR2096, which he hoped would form the basis of future dealings with the City of Vancouver.

The following represents highlights of that submission.

In the late 1990s the first leasehold renewals at the South end of the Cambie Bridge matured and were met with major problematic 'issues of process' as the City of Vancouver, at that time, discovered it did not have a workable and/or legally recognized formula, model or system in place for the renewal of these leaseholds.

To correct this, the City sent Staff to the United Kingdom to study and research leasehold renewal processes there, for the purpose of determining such formulae, models or systems which could be applicable and then applied in South False Creek, in renewing any and all leaseholds in South False Creek as those leaseholds matured.

The UK experience(s) did not provide any such models, etc. for use. This then led to significant legal difficulties and procedural problems for the City, plus significant heartaches for leaseholders all resulting from uncertainties and exacerbated by unknowns regarding financial responsibilities for every Leasehold Strata Lot holder in what would become a confused and usurious 'divide and conquer' approach. This must not be allowed to be repeated in any way within any of the upcoming leasehold renewals remaining and in prospect (on maturity) for any and all leasehold lands, and/or water, of South False Creek, between the south bridgeheads of the Burrard and Cambie Bridges.



**Question #1.** DOES THE CITY HAVE A KNOWN LEGAL STRUCTURE INTENDED TO BE USED AS PROCESS, FOR UUPCOMING RENEWAL(S) OF FALSE CREEK LEASEHOLDS?

**Question #2.** WILL THE CITY COMMIT TO LEASEHOLD RENEWAL FOR EVERY AND ALL LEASEHOLDERS, CORPORATE OR INDIVIDUAL, AT THE POINT IN TIME OF RESPECTIVE LEASEHOLD MATURITIES?

**Note:** This must include a description of every step in the renewal process, a clear reference to all precedents that underlay. I suggest it wise to clarify our own goals, personal and corporate, to make clear why we need to have the leasehold renewal process/formula made known, and, that there be an unquestioned common goal stated (Strata Corporations and City of Vancouver) that they do intend to renew leaseholds as held by leaseholders at maturity.

For me, there are two goals:

- To retain property value, and
- To pass my property on to my children.

**Question #3.** WHAT IS/ARE THE CITY'S END GOALS IN LEASEHOLD RENEWALS FOR FALSE CREEK?

**Note:** The City is extremely conscious and unlikely to vary from their bottom line and pre-eminent role as TAX COLLECTOR and subsequently freedom to reuse expensive land at their discretion and non-else.

The City may suggest it this is to plan, to zone and to protect the urban environment *but I suggest that this is not our issue*. OUR CONCERN IS TO HAVE MADE KNOWN OUR LEGAL RIGHTS AS PROPERTY OWNERS; AND TO SUSTAIN OUR LAND VALUES – in a legal case of LEASEHOLD v. FREEHOLD.

**Question #4.** DOES THE CITY RECOGNIZE ANY EQUALITY OF RIGHTS OR RIGHTS OF ANY NATURE, NOW, AND UPON MATURITY, AND, IF SO, WHAT ARE THEY? WHAT LEGAL PRECEDENTS EXPLICITLY SUPPORT THESE RIGHTS OF RENEWAL?

**Question #5.** WHO HAS ACTUAL LEGAL JURISDICTION TO RENEW SOUTH FALSE CREEK LEASEHOLD AGREEMENTS WITH THE VARIOUS CURRENT LEASEHOLD STATA CORPORATIONS THAT ARE IN LINE FOR RENEWALS?

**Note:** When the City attempted to evict boats squatting on the water surface of False Creek, it was discovered that there were fourteen (14) jurisdictions to co-ordinate, agree and comply with an eviction process. It seemed there was no such established and coordinating legal process in place to use.

Therefore, it is imperative for the city, with maps and legal documentations, to identify all legal jurisdictions, without exception, having any claim on our renewals. This includes any and all jurisdictions within FEDERAL inc. CMHC, DPW, DND, DPW and any/all other Federal agencies or Crown Corporations), PROVINCIAL (inc. the Assessment Authority), MUNICIPAL jurisdictions PLUS any and all FIRST NATIONS CLAIMS, and any and all PRIVATE FREEHOLD LAND CLAIMANTS plus to make known any/all other claimants we may have missed.

It is mandatory that there be clear and transparent 'identification *and* definitions of rights' to be identified, outlined and provided BY THE CITY for any and all legal LAND TITLES in South False Creek that will, or may impact, or have any legal meaning and/or bearing, of any nature related to any/all lands located between the southern bridgeheads of the Burrard and Cambie Bridges.

**Question #6.** DOES THE CITY RECOGNIZE ANY VALUE OR OTHER FISCAL DIFFERENCES BETWEEN LEASEHOLD LAND AND FREEHOLD LAND? IF ANY DIFFERENCES DO EXIST, WILL THE CITY MAKE THESE KNOWN, LIST THEM ON PAPER AND PASS MUNICIPAL LEGISLATION PERTAINING TO THIS LIST and IF ANY, REFER THE LEASEHOLD CORPORATIONS TO AND ALL OTHER RELEVANT JURISDICTIONS FOR THEIR INPUT?

**Note:** The BC Assessment Authority does NOT recognize differences in assessment valuations between Leasehold and Freehold but ... THE MARKET PLACE DOES, as do FINANCIAL INSTITUTIONS should any money need to be borrowed for any purposes including building repairs and retention of building integrities.

**Note:** While any given City Council cannot bind the hands or any future City Council it is absolutely necessary to have identified INTENT AS IT EXISTS TODAY to for purpose of establishing HISTORICAL PRECEDENT. Such intent must be fixed with through a clearly stated MOTION PASSED by the CURRENT SITTING CITY COUNCIL intended for use by the good and orderly LEASEHOLD RENEWAL AS EACH MATURES BETWEEN NOW AND ANY/ALL MATURITY DATES. The intent of such a motion is that it be functional as possessing legal standing before any future and relevant Courts of Law be they Provincial or Federal. The PURPOSE of this is TO ESTABLISH CERTAINTY where today there is uncertainty. This list is not intended as complete – it is intended for discussion.

#### **Council Discussion**

Mr. Herbert was thanked for his submission to council. There is at present an informal working group comprised of Council Members Donna Lucas, John Sanders, and owner Cynthia Grauer. Mr. Herbert was asked and agreed to participate in the Working Group in order to put together a unified proposal firstly to the owners of Strata Plan VR2096, and subsequently to the City of Vancouver.

#### **ELECTION OF OFFICERS**

The following council members agreed to serve as follows:

President -	John Sanders
Vice-President -	Margaret Kondrosky
Treasurer -	Susan Blundell

#### **ADOPTION OF PREVIOUS MINUTES**

It was **RESOLVED** (Blundell/Barnes) that the minutes of the regular council meeting held April 4, 2012 be accepted with the following amendment:

#### **PROPOSED AMENDMENT**

That the following section be removed under **Property Management Report, Domestic Water Supply Line Breakage – 1579 Mariner Walk**

*"It was decided that in instances where the source of damage is entirely the common property or assets of the strata corporation, that the strata corporation would reimburse an owner's insurance deductible up to a level of \$500. The effective date of this policy would be as of the date of the upcoming Annual General Meeting, although an exception would be made for a recent water ingress instance to suite #101- 1551 Mariner Walk.*

*Should the source of damage be from another strata lot, this policy would not apply, and the affected owner would have to seek redress with the owner from whose strata lot the loss originated."*

**MOTION CARRIED WITH AMENDMENT**

## **OLD BUSINESS**

### **Implementation of Agreement with Mariner Point regarding Visitor Parking**

Management advised that although there exists agreement in principle with Mariner Point where ten reserved spaces could continue to be rented out, there have arisen several problems:

- No written proposal has been forwarded to VR2096 by Mariner Point
- It appears that additional parking stalls are being rented out to outside parties on a "non-reserved" basis, which is contrary to the agreement

Council asked Management to follow up with Mariner Point to encourage resolution of these outstanding issues. Owners are encouraged to make full use of the Visitor Parking area in the interim.

### **Repair to 1579 Mariner Walk**

Repair to the exterior wall are now fully complete after several attempt to repair water ingress to the strata lot failed due to improper sealing of the water supply line that enters the strata lot below grade. The owner has made an agreement with the Strata's insurance adjuster to perform the interior repairs on their own, and will submit expense receipts to the adjuster for reimbursement.

## **CORRESPONDANCE**

An owner complained about the handling of an incident where another resident parked in their designated parking stall. Management was criticized for not having the vehicle towed right away, as instead it chose, with the assistance of the caretaker to locate the resident who improperly parked there, and have the resident remove the vehicle prior to calling the tow truck, which in the end, was not necessary, as the resident move the offending vehicle.

### **Discussion**

Council reminded all owners to ensure that they do not park in a stall designated for the use of another resident.

Several letters were reviewed where repairs to ground floor patio pavers were requested due to settlement. Four such patios are known to be in need of repair at this time.

### **Discussion**

Council directed that all such requests be acknowledged by Management and the residents be advised that these repairs will be attended to, but cautioned that an exact timeline of repairs is not known at this juncture.

## **FINANCIAL REPORT**

It was **RESOLVED** (Kondrosky/Barnes) that the Operating Statement for the one month ended March 31, 2012 be accepted as circulated

**MOTION CARRIED**

It was **RESOLVED** (Kondrosky/Barnes) that the Operating Statement for the two months ended April 30, 2012 be accepted as circulated

**MOTION CARRIED**

## **NEW BUSINESS**

### **Decking Material – Apartments**

Council discussed several materials alternatives to the existing teak tiles currently being used on a test basis in 207 1502 Island Park Walk. It was decided that a working group of several council members would be convened to follow up on

this issue. In particular, suitability for use on the top floor of the Apartment buildings was discussed, as these areas are situated with full sun exposure.

**Financial Audit – Year Ended February 29, 2012**

Council directed that the firm of Manning Elliot be contacted and asked to provide a quotation for audit services for the fiscal year recently ended.

**Replacement of Mailboxes**

Council directed that the mailboxes in the two Apartment Buildings be replaced as a first priority. After this work is complete, the mailboxes serving the townhouse strata lots will be evaluated.

**Domestic Hot Water Tank Replacement**

Management advised that the maintenance and replacement of domestic hot water tanks is the responsibility of each owner, not the Strata Corporation.

However, Council requested that Management pursue competitive pricing for replacement of domestic hot water tanks so that Owners could take advantage of this and have their personal hot water tanks replaced.

**Caretaker Cell Phone Contract**

Further to feedback from the Annual General Meeting, Council asked Management to see if the monthly cost of the caretaker cell phone could be reduced.

**Ground Floor Concrete Planters at 1551 Mariner Walk**

Grounds Liaison Margaret Kondrosky indicated that the residents of 102, 103 and 106, 1551 Mariner Walk do not maintain the concrete planter boxes adjacent to their patio, and recommended that the Strata Corporation clean out these areas and charge the individual owners of these three strata lots for the cost of this work. This was agreed to by council.

**Smoking Ban**

Council discussed the implementation of a smoking ban in the complex.

Management advised that a bylaw amendment to prohibit smoking would require calling a Special or Annual General Meeting. Management further advised that a "Rule" under the Strata Property Act could be implemented, but it would require ratification at the next Special or Annual General Meeting

It was therefore RESOLVED (Blundell/Kondrosky) that the following Rule be adopted by Strata Plan VR2096

**Rule #1.0**

*No smoking of cigarettes or other substances shall be allowed on the Common and Limited Common Property of Leasehold Strata Plan VR2096.*

*Violation of this Rule shall result in a fine levied of \$50 per infraction.*

**MOTION CARRIED.**

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:15pm. The next regular meeting is scheduled for Wednesday, July 18, 2012 at 4:00pm in the meeting room at 1501 West First Avenue, Vancouver, B.C.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright

Agent for Owners, Leasehold Strata Plan VR2096

**MINUTES RETENTION**

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**INSURANCE**

The Strata Corporation wishes to remind all residents that, while the building is adequately insured, *including your strata lot*, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to personal coverage required including loss of rents or loss of use in the event of a major water escape, etc

**MINUTES OF THE ANNUAL GENERAL MEETING OF THE OWNERS, LEASEHOLD STRATA PLAN VR 2096, THE LAGOONS, held on Wednesday, May 23, 2012, at 6:30 p.m. held in the meeting room at Mariner Point, 1510 West First Avenue, Vancouver, BC.**

The meeting was called to order at 6.35 p.m. by John Cartwright, Property Manager for the Strata Corporation.

**ELECTING THE CHAIRPERSON OF THE MEETING.**

It was **RESOLVED** by K. Madore (SL 51) and Seconded by A. Barnes (SL 10) that property manager John Cartwright be appointed to chair the meeting. **MOTION CARRIED.**

**CALLING OF THE ROLL, CERTIFICATION OF PROXIES, DISTRIBUTION OF BALLOTS, AND FILING OF PROOF OF NOTICE OF MEETING**

Management reported that of the 89 strata lots, 32 were present in person, and 7 by proxy, for a total of 39 strata lots represented. The requirement for a quorum is 30 strata lots, or one-third of strata lots entitled to vote. The meeting was therefore considered legally constituted to proceed.

It was **RESOLVED**, R. Stewart (SL 78) and **SECONDED**, D. Binsfeld (SL 31), that the Calling of the Roll, Certification of Proxies, Distribution of Ballots and Voting Cards, and Filing of the Proof of Notice of the Meeting dated May 8, 2012 be confirmed as per the requirements of the Strata Property Act. **MOTION CARRIED**

**ADOPTION OF THE MINUTES OF THE PREVIOUS ANNUAL GENERAL MEETING**

It was **RESOLVED**, G. Symons (SL 58) and **SECONDED**, J. McFarland (SL 56) that the minutes of the annual general meeting held May 9, 2011 be adopted as circulated. **MOTION CARRIED**

**OLD BUSINESS**

No business relating to the prior year Annual General Meeting was brought forward at this time.

**REPORT FROM THE COUNCIL PRESIDENT – John Sanders**

2011-2012 has been a relatively uneventful year for The Lagoons, which is a good thing for all of us. There are a couple of items that I would like to mention because they will affect our strata as we move forward.

**A Change in our Financial Structure**

Several years ago it was recognized that some strata operating costs were totally or mostly directed to the apartments. To address this, the budget was split to allow these costs to be charged only to the apartments.

The budget and monthly financial reports were therefore broken down into Town house and Apartment sections and strata fees were calculated according to unit entitlement within each section. This separation into town house and apartment sections was applied to the contingency fund as well as to the operating costs.

Although the budget materials that are handed out each year identify this pretty clearly, not everyone will have

studied the details.

While the cost centres that have been assigned to the apartments have varied somewhat over the years, the significant expenditures have been in the following areas.

- Enterphone maintenance.
- Electrical power for hallway ventilation and heating, and a pro-rata portion of the parking garage.
- Fire systems in the apartment buildings.
- Routine elevator servicing.

In addition to the normal contingency fund contributions and withdrawals, operating surpluses and shortfalls within each section have been generally handled by contributing surpluses to the respective contingency funds or reducing contributions to them from them to cover shortfalls. For a number of reasons, the apartment contingency fund has grown significantly larger on a unit entitlement basis than the town house contingency fund has.

A recent audit of False Creek Management by the Real Estate Council of British Columbia has identified a need to modify the budgeting and costing procedures that we have been using in order to comply with the BC Strata Property Act.

- According to the Act, if a strata wishes to assign specific cost centres to one particular area of the strata, these cost centres and the area to which they will be assigned must be identified in a bylaw called a Types Bylaw. Such a bylaw must be approved at a general meeting by three-quarters of the owners present at the meeting. Although the cost allocation that is now in use was discussed at an AGM, no bylaw was formally approved.
- A single contingency fund must be maintained and contributions to it must be made solely on the basis of unit entitlement. Therefore, our two contingency funds must be amalgamated and the disparity in contributions on a unit entitlement basis must be addressed.

To achieve compliance on these points, council recommends the following actions:

- The passage of a Types bylaw specifying the cost areas to be allocated to apartments alone.
- A credit of the cumulative surplus in the apartment operating fund to the apartment operating costs rather than making a permanent contribution to the contingency reserve. This reduces the amount of the town house catch-up described in point c. below.
- A balancing of the contingency funds by increasing the fund contributions by the town houses and suspending the fund contributions by the apartments for the 2012- 2013 fiscal year. At the end of this process there will be only one contingency fund for VR 2096 and each unit will have contributed to it equally on a unit entitlement basis.

For 2012- 2013 and subsequent years the budget will be prepared, costs assigned and strata fees calculated according to the principles outlined above. The budget and cost reports will not show town house and apartment sections as it does now, but it will be easy to observe the budget vs. actual on the apartment-specific categories by those interested.

### **Appearance Improvement**

In early 2012 a group of council representatives toured the exterior of the townhouses and the interiors and exteriors of the apartment buildings with the view of identifying projects or activities that would improve The Lagoons appearance. The tours were of the 'what catches the eye' variety which seemed to suit the objective of appearance improvement.

## STRATA PLAN VR 2096, THE LAGOONS

Annual General Meeting, May 23, 2012

One premise of this tour was our recognition that The Lagoons' value lies in its location and ambiance rather than any intrinsic land value. In this respect, it is almost the opposite of a normal Vancouver property. So in addition to the enjoyment that a well-maintained residence gives to the owners, the upkeep of appearances at The Lagoons is central to the maintenance of value.

For the 2012 fiscal year, a number of projects have been identified that will begin an increased focus on the exterior appearance of the strata. (You will already have seen the power washing of the exterior areas of the town house entry brickwork.) Council proposes that the cost for this initiative be taken from the contingency reserve, since it is a maintenance project that will not recur on a yearly basis. The projects contemplated are listed below.

<u>Project Description</u>	<u>Budget Allocation</u>
• Re-Leveling Pavers in various locations	\$ 10,000
• Refurbishment of Lobby Doors/Vehicle Gates	\$ 10,000
• Refurbishment of Exterior Lighting	\$ 8,000
• Pressure washing throughout the complex	\$ 6,000
• Replacement of Mailboxes	<u>\$ 10,000</u>
• TOTAL PROPOSED	\$ 44,000

In addition to these steps to preserve value in our strata, council has joined the False Creek South Neighbourhood Association which has recently had its mandate extended to include all the properties east of the Burrard Bridge. The Association has a committee called the False Creek South Planning Committee, which is focused on working with the City of Vancouver to clarify the status of the long-term leases such as ours. There are a number of leases expiring in the next few years that need to be addressed immediately. It will be to our advantage to observe and to evaluate our participation in any arrangements that the city makes with these leaseholders. Of course, any actions taken that could affect our lease will require discussion at a general meeting, and a vote of all of the owners.

The business of The Lagoons strata has been straightforward this year, in no small measure because of John Cartwright's diligent pursuit of our affairs and I want to thank him on behalf of all of the owners for his work. I would also like to thank our council members who have never hesitated to devote their time to the issues that arose and to give helpful and constructive opinions and advice on these matters.

### **Property Management Report – John Cartwright**

The proposals submitted to the owners for consideration at this Annual General Meeting represent a resolution to a long-running issue of expenses allocated to certain strata lot types where the cost structure has not been properly formalized and consented to by the owners.

All operating expenses are allocated to each strata lot on the basis of unit entitlement, with the exception of four cost areas.

These four cost areas have been reallocated to account for disproportionate use of certain common assets by the Apartment Strata Lots relative to the Townhouse Strata Lots.



## STRATA PLAN VR 2096, THE LAGOONS

Annual General Meeting, May 23, 2012

These areas are:

Electricity	80% - Apartment	20% - Townhouse
Fire Protection	89.34% - Apartment	10.66% - Townhouse
Enterphone Maintenance	100% - Apartment	
Elevator Maintenance	100% - Apartment	

By way of comparison, the proportionate cost sharing based on unit entitlement is 57.37% for the Apartments, and 42.63% for the Townhouses. A review of prior years' Annual General Meeting Minutes revealed that while this had been discussed with the ownership, it was never formalized. At this Annual General Meeting, it is proposed that this cost allocation structure be formalized through the adoption of a "Types" bylaw, as set out in section 6.4 of the Strata Property Act Regulations.

While it is proposed that that above noted cost allocation structure be retained, there are three major differences moving forward;

**FIRSTLY**, the Contingency Reserve Fund cannot be segregated between Townhouses and Apartments. Therefore, as part of this Annual Meeting, approval will be sought to bring the relative contributions of the Townhouses and Apartments into balance by February 28, 2013. At fiscal year end, there was an imbalance in the two Contingency Reserve Funds, and this needs to be rectified prior to amalgamation of the fund balances. It is proposed that this be completed monthly during the current fiscal year such that the funds are in balance by February 28, 2013. This will involve the Townhouses contributing extra to the Contingency Reserve Fund, while the Apartments will contribute less for this fiscal year.

**SECONDLY**, there will no longer be separate budgets. One budget will serve all strata lots, even though the contribution to the above-noted expense categories will be disproportionately carried by the Apartment Strata Lots. In order to amalgamate the two budgets, it is necessary to deal with the Operating Surplus or Deficit at the end of February 29, 2012. This is being proposed as being dealt with through transfers into or out of the Contingency Reserve Fund belonging to each unit type.

**THIRDLY**, it is necessary to correct the allocation of a Bad Debt Expense recognized for the year ended February 28, 2010 in the amount of \$22,985.00. This amount was charged entirely to the Apartment strata lots, which was in error. This expense should have been charged to all strata lots based on unit entitlement. It is proposed that this be adjusted as part of this proposed budget and schedule of contributions.

### Moving Forward

It is proposed the fiscal imbalance between Apartment and Townhouse strata lots be rectified through monthly adjustments that would result in full compliance by February 28, 2013. In order to accomplish this, the Apartment owners will see their monthly contribution decreased for this fiscal year, while the Townhouse Owners will see their contribution increase for this fiscal year.

### Contingency Reserve Imbalance

It is proposed that the Apartment Operating Fund surplus of \$20,916.36 be allocated as a credit to the Apartment owners over the course of the fiscal 2012/2013 year as a reduction in contributions.

It is proposed that the Townhouse Contingency Fund be brought into balance with the Apartment owners over the course of the fiscal 2012/2013 year as a increase in monthly contributions. The total amount of the increase in contributions is \$35,255.01.

## STRATA PLAN VR 2096, THE LAGOONS

Annual General Meeting, May 23, 2012

### **CONSIDERATION OF ACCOUNTS – YEAR ENDED FEBRUARY 29, 2012**

It was **RESOLVED** S. Lagace (SL 11), and **SECONDED** M. Toye (SL 37) that the operating results for the year ended February 28, 2011 be accepted as circulated.

#### **Discussion**

Management noted that a prior period adjustment was required to correct an allowance for bad debt which had been allocated fully to the Apartment strata lots, but which should have been applied to all strata lots based on unit entitlement.

The corrected operating statement surplus (deficit) as at February 29, 2012, was as follows:

Apartment Strata Lots	\$ 20,916.36
Townhouse Strata Lots	\$ (8,626.94)
Total	\$ 12,289.42

**MOTION CARRIED**

### **NEW BUSINESS**

#### **RESOLUTIONS REQUIRING A ¾ VOTE TO PASS**

##### **THREE-QUARTER VOTE #1**

##### **Transfer of Funds Out of Townhouse Contingency Reserve to Address Operating Budget Shortfall for the Townhouse Strata Lots**

###### **Be it Resolved as Follows:**

That funds in the amount of \$8,626.94 be transferred out of the Townhouse Strata Lots Contingency Reserve Fund and into the Operating Fund

It was **RESOLVED** M. Kondrosky (SL 34) and **SECONDED** S. Lagace (SL 11) that Three-Quarter Vote Resolution #1 be accepted as circulated.

**MOTION CARRIED**

##### **THREE-QUARTER VOTE #2**

##### **Transfer of Funds Out of Apartment Operating Fund and into the Apartment Contingency Reserve Fund**

###### **Be it Resolved as Follows:**

That funds in the amount of \$ 20,916.36 be transferred out of the Apartment Strata Lots Operating Fund and into the Apartment Contingency Reserve Fund

It was **RESOLVED** K. Madore (SL 31) and **SECONDED** P. Jahnke (SL 20) that Three-Quarter Vote Resolution #2 be accepted as circulated.

**MOTION CARRIED**

##### **THREE-QUARTER VOTE #3**

##### **Amendment to Bylaws**

##### **Establishment of Expenses Allocated based on "Type"**

**Be it Resolved** that the bylaws of Leasehold Strata Plan VR2096 be amended with the addition of the following section:

46. Allocation of Expenses based on Unit Type

## STRATA PLAN VR 2096, THE LAGOONS

Annual General Meeting, May 23, 2012

46.1 Strata Lots 1 through 29 inclusive and 38 through 65 inclusive shall be considered Apartment Type Strata Lots.

46.2 Strata Lots 30 through 37 inclusive, and 66 through 89 inclusive shall be considered Townhouse Type Strata Lots.

46.3 Operating Fund contributions related to the following operating expenses are deemed to be expenditures that benefit only one type of strata lot, and shall be allocated as follows:

Electricity	80.00% - Apartment	20.00% - Townhouse
Fire Protection	89.34% - Apartment	10.66% - Townhouse
Enterphone Maintenance	100.00% - Apartment	
Elevator Maintenance	100.00% - Apartment	

End of Resolution.

It was **RESOLVED** S. Lagace (SL11) and **SECONDED** J. Brown (SL 75) that Three-Quarter Vote Resolution #3 be accepted as circulated.

### Proposed Amendment to the Resolution

It was **RESOLVED** C. Hamilton (SL 81) and **SECONDED** K. Madore (SL 51) that proposed bylaw section 46 be amended as follows:

Presently Proposed

"46. Allocation of Expenses based on Unit Type"

Be amended to be as follows:

"46. Allocation of Operating Expenses based on Unit Type"

**AMENDMENT CARRIED**

The Question was then called on Three-Quarter Vote Resolution #3 as once amended:

### Voting Results

In Favor	38
Opposed	1
Abstentions	0

**AMENDED MOTION CARRIED**

### THREE-QUARTER VOTE #4

#### Withdrawal from Consolidated Contingency Reserve Fund

Be it Resolved that approval be granted to withdraw up to \$44,000 from the Contingency Reserve Fund for the purpose of discretionary expenditures that are of a non-recurring nature. These expenditures shall be limited to the following:

- Re-Leveling Pavers in various locations \$ 10,000
- Refurbishment of Lobby Doors/Vehicle Gates \$ 10,000
- Refurbishment of Exterior Lighting \$ 8,000
- Pressure washing throughout the complex \$ 6,000

## STRATA PLAN VR 2096, THE LAGOONS

Annual General Meeting, May 23, 2012

• Replacement of Mailboxes	\$ 10,000
TOTAL	\$ 44,000

End of Resolution.

It was **RESOLVED** S. Blundell (SL29) and **SECONDED** R., Stewart (SL 78) that Three-Quarter Vote Resolution #4 be accepted as circulated.

**MOTION CARRIED**

### **THREE-QUARTER VOTE #5**

#### **Withdrawal from Consolidated Contingency Reserve Fund for the Purpose of Engaging a Financial Auditor**

**Be it Resolved** that approval be granted to withdraw up to \$6,000 from the Contingency Reserve Fund for the purpose of authorizing an audit of the financial records of the strata corporation for the year ended February 28, 2012.

End of Resolution.

It was **RESOLVED** S. Blundell (SL29) and **SECONDED** R., Stewart (SL 78) that Three-Quarter Vote Resolution #4 be accepted as circulated.

#### **Voting Results**

In Favor	37
Opposed	2
Abstentions	0

**MOTION CARRIED**

### **PROPOSED OPERATING BUDGET FOR THE YEAR ENDING FEBRUARY 28, 2012.**

It was **RESOLVED** J. Sanders (SL51) and **SECONDED** S. Blundell (SL 29) that the proposed consolidated operating budget for the year ending February 28, 2013 be accepted as circulated.

#### **Discussion**

One owner requested that the additional amount to be paid by Townhouse strata lot owners for this fiscal year be separated out in any information provided to outside realtors, as this represents an adjustment for one fiscal year only.

**MOTION CARRIED**

### **OTHER NEW BUSINESS**

#### **Domestic Hot Water Tanks**

One owner suggested that a bulk water tank purchase be made for any owners with water tanks approaching ten years in age. This had been done in prior years, and many owners took advantage of the resulting cost savings. All owners would be responsible for their own costs in this regard.

#### **Signage**

One owner suggested that signage adjacent to 1502 Island Park Walk is insufficient and should be improved to assist guests in locating the various buildings.

## STRATA PLAN VR 2096, THE LAGOONS

Annual General Meeting, May 23, 2012

### **ELECTION OF 2011/2012 COUNCIL**

The following individuals were acclaimed and elected by a majority ballot to serve on the 2012/2013 strata council:

<b><u>Owner/Resident</u></b>	<b><u>Strata Lot</u></b>
Anthony Barnes	10
Susan Blundell	29
Judith Brown	75
Margaret Kondrosky	34
Donna Lucas	70
Karen Madore	51
John Sanders	52

Owner Karen Madore expressed her thanks to Dr. Grant Stewart for his substantial efforts on behalf of the Strata Corporation in this and in prior years.

### **MOTION TO ADJOURN**

It was **RESOLVED** S. Blundell (SL 29) that the Annual General Meeting be adjourned.  
There being no further business, the meeting was adjourned at 8:40 p.m.

Respectfully Submitted,  
**FALSE CREEK MANAGEMENT (2006) LTD.**  
Per



John Cartwright  
Agent for Owners, Leasehold Strata Plan VR2096

**Minutes of the Annual General Meeting of the Owners of Strata Plan VR 2096, held on Wednesday, May 23, 2012, are subject to ratification by the owners at the next Annual General Meeting.**

2012/2013				
	common	Townhouse Type Only	apartment type only	Total
Ordinary income/Expense				
Income				
Maintenance Income	355,420.00	7,540.00	40,660.00	403,620.00
Other Income				0.00
Interest Income	0.00			0.00
Total Income	355,420.00	7,540.00	40,660.00	403,620.00
Expense				
Repairs and Maintenance				
Landscaping/Irrigation	80,000.00			80,000.00
Plumbing & Mechanical	24,000.00			24,000.00
R&M - Other	12,000.00			12,000.00
Building Envelope Maintenance	18,000.00			18,000.00
Pond Maintenance	6,000.00			6,000.00
Window Cleaning	6,500.00			6,500.00
Mariner Point Joint Expense	6,000.00			6,000.00
Elevator			6,000.00	6,000.00
Fire Protection		480.00	4,020.00	4,500.00
Electrical Repair	3,500.00			3,500.00
Overhead Door	3,000.00			3,000.00
Enterphone			2,400.00	2,400.00
Security	2,400.00			2,400.00
Cleaning Supplies	900.00			900.00
Roads & Acces	0.00			0.00
Uninsured Loss	0.00			0.00
Total Repairs and Maintenance				
General and Admin.				
Insurance	60,000.00			60,000.00
Management Fees	35,900.00			35,900.00
Legal Fees	600.00			600.00
Telephone	1,100.00			1,100.00
Office Supplies	720.00			720.00
Sundry	720.00			720.00
Interest/Service Charge Expense	480.00			480.00
Total General and Admin.				
Utilities				
Electricity	0.00	7,060.00	28,240.00	35,300.00
Water/Sewer	33,900.00			33,900.00
Waste Removal/Recycling	10,200.00			10,200.00
Total Utilities				
Salary Expense				
Salary Expense - Other	43,500.00			43,500.00
Salary Benefits	3,600.00			3,600.00
Contract Cleaning/Relief	2,400.00			2,400.00
Total Salary Expense				
Contingency Res Contribution				0.00
Uncollected Acct - Bad Debt Exp				
Total Expense	355,420.00	7,540.00	40,660.00	403,620.00
Net Ordinary Income				
Net Income	0.00	0.00	0.00	0.00



The Owners Leasehold Strata Plan VR2096 The Lagoons			Unit Entitlement			Contingency Reserve Contribution Annual	Common Operating Budget Annual	Apartment Type Segregated Annual	Townhouse Type Segregated Annual	Total Contribution before adjustments		Apartment Adjustment Re: CRF Annual	Townhouse Adjustment Re: CRF Annual		Aggregate Monthly Contribution
Strata Lot	Address	apartment	unit	entitlement	total					Annual	Monthly		Monthly	Annual	
1	#101-1502 Island Park	105	105	105	105	0.00	3,601.88	718.25	0.00	403,620.00	33,635.00	{20,916.36}	{1,743.03}	33,591.04	34,691.22
2	#103-1502 Island Park	76	76	76	76	0.00	3,607.08	519.88	0.00	4,320.14	360.01	{369.48}	{30.79}	0.00	329.22
3	#105-1502 Island Park	91	91	91	91	0.00	3,121.63	622.49	0.00	3,125.96	260.58	{267.44}	{22.29}	0.00	238.29
4	#107-1502 Island Park	115	115	115	115	0.00	3,944.92	786.66	0.00	3,744.12	312.01	{320.22}	{26.69}	0.00	285.32
5	#108-1502 Island Park	118	118	118	118	0.00	4,047.83	807.18	0.00	4,731.58	394.30	{404.67}	{33.72}	0.00	360.58
6	#106-1502 Island Park	74	74	74	74	0.00	2,538.47	506.20	0.00	4,855.01	404.58	{415.23}	{34.60}	0.00	369.98
7	#104-1502 Island Park	71	71	71	71	0.00	2,435.56	485.68	0.00	3,044.67	253.72	{260.40}	{21.70}	0.00	232.02
8	#102-1502 Island Park	74	74	74	74	0.00	2,538.47	506.20	0.00	2,921.23	243.44	{249.84}	{20.82}	0.00	221.62
9	#201-1502 Island Park	104	104	104	104	0.00	3,567.58	711.41	0.00	3,044.67	253.72	{260.40}	{21.70}	0.00	232.02
10	#203-1502 Island Park	76	76	76	76	0.00	2,607.08	519.88	0.00	3,044.67	253.72	{365.97}	{30.50}	0.00	326.08
11	#205-1502 Island Park	90	90	90	90	0.00	3,087.33	615.65	0.00	3,126.96	260.58	{267.44}	{22.29}	0.00	238.29
12	#207-1502 Island Park	108	108	108	108	0.00	3,704.79	738.78	0.00	3,702.97	308.58	{316.70}	{26.39}	0.00	281.19
13	#206-1502 Island Park	119	119	119	119	0.00	4,082.13	814.02	0.00	4,443.57	370.30	{380.04}	{31.67}	0.00	338.63
14	#204-1502 Island Park	104	104	104	104	0.00	3,567.58	711.41	0.00	4,896.15	408.01	{418.75}	{34.90}	0.00	373.11
15	#202-1502 Island Park	97	97	97	97	0.00	3,327.45	663.53	0.00	4,278.99	356.58	{365.97}	{30.50}	0.00	326.08
16	#301-1502 Island Park	100	100	100	100	0.00	3,430.36	684.05	0.00	3,990.98	332.58	{341.33}	{28.44}	0.00	304.14
17	#303-1502 Island Park	71	71	71	71	0.00	2,435.56	485.68	0.00	4,114.42	342.87	{351.89}	{29.32}	0.00	313.55
18	#305-1502 Island Park	88	88	88	88	0.00	3,018.72	601.97	0.00	2,921.23	243.44	{249.84}	{20.82}	0.00	222.62
19	#307-1502 Island Park	105	105	105	105	0.00	3,601.88	718.25	0.00	3,620.69	301.72	{309.66}	{25.81}	0.00	275.91
20	#306-1502 Island Park	118	118	118	118	0.00	4,047.83	807.18	0.00	4,320.14	360.01	{369.48}	{30.79}	0.00	329.22
21	#304-1502 Island Park	103	103	103	103	0.00	3,533.27	704.57	0.00	4,855.01	404.58	{415.23}	{34.60}	0.00	369.98
22	#302-1502 Island Park	95	95	95	95	0.00	3,258.85	649.85	0.00	4,237.85	353.15	{362.45}	{30.20}	0.00	322.95
23	#401-1502 Island Park	107	107	107	107	0.00	3,670.49	731.93	0.00	3,908.69	325.72	{334.30}	{27.86}	0.00	297.86
24	#403-1502 Island Park	71	71	71	71	0.00	2,435.56	485.68	0.00	4,402.42	366.87	{376.52}	{31.38}	0.00	335.49
25	#405-1502 Island Park	87	87	87	87	0.00	2,984.42	595.12	0.00	2,921.23	243.44	{249.84}	{20.82}	0.00	222.62
26	#407-1502 Island Park	105	105	105	105	0.00	3,601.88	718.25	0.00	3,579.54	298.30	{306.14}	{25.51}	0.00	272.79
27	#406-1502 Island Park	117	117	117	117	0.00	4,013.53	800.34	0.00	4,320.14	360.01	{369.48}	{30.79}	0.00	329.22
28	#404-1502 Island Park	105	105	105	105	0.00	3,601.88	718.25	0.00	4,813.87	401.16	{411.71}	{34.31}	0.00	366.85
29	#402-1502 Island Park	96	96	96	96	0.00	3,293.15	656.69	0.00	4,320.14	360.01	{369.48}	{30.79}	0.00	329.22
30	1517 Mariner's Walk	104	104	104	104	0.00	3,567.58	0.00	0.00	3,949.84	329.15	{337.81}	{28.15}	0.00	301.00
31	1515 Mariner's Walk	89	89	89	89	0.00	3,053.02	0.00	0.00	3,745.11	312.09	0.00	0.00	790.91	378.00
32	1513 Mariner's Walk	89	89	89	89	0.00	3,053.02	0.00	0.00	3,204.95	267.08	0.00	0.00	676.84	323.48
33	1511 Mariner's Walk	92	92	92	92	0.00	3,155.93	0.00	0.00	3,204.95	267.08	0.00	0.00	676.84	323.48
34	1519 Mariner's Walk	142	142	142	142	0.00	4,871.12	0.00	0.00	3,312.98	276.08	0.00	0.00	699.65	334.38
35	1521 Mariner's Walk	142	142	142	142	0.00	4,871.12	0.00	0.00	5,113.52	426.13	0.00	0.00	1,079.90	516.12
36	1523 Mariner's Walk	142	142	142	142	0.00	4,871.12	0.00	0.00	5,113.52	426.13	0.00	0.00	1,079.90	516.12
37	1525 Mariner's Walk	149	149	149	149	0.00	5,111.24	0.00	0.00	5,113.52	426.13	0.00	0.00	1,079.90	516.12
38	#101-1551 Mariner's Walk	116	116	116	116	0.00	3,979.22	793.50	0.00	5,365.59	447.13	0.00	0.00	1,133.14	541.56
39	#103-1551 Mariner's Walk	124	124	124	124	0.00	4,253.65	848.22	0.00	4,772.72	397.73	{408.19}	{34.02}	0.00	363.71
40	#105-1551 Mariner's Walk	138	138	138	138	0.00	4,733.90	943.99	0.00	5,101.87	425.16	{436.34}	{36.36}	0.00	388.80
41	#107-1551 Mariner's Walk	152	152	152	152	0.00	5,214.15	1,039.76	0.00	5,677.89	473.16	{485.61}	{40.47}	0.00	432.69
42	#106-1551 Mariner's Walk	102	102	102	102	0.00	3,498.97	697.73	0.00	6,253.91	521.16	{534.87}	{44.57}	0.00	476.59
43	#104-1551 Mariner's Walk	64	64	64	64	0.00	2,195.43	437.79	0.00	4,196.70	349.73	{358.93}	{29.91}	0.00	319.82
44	#102-1551 Mariner's Walk	99	99	99	99	0.00	3,396.06	677.21	0.00	2,633.23	219.44	{225.21}	{18.77}	0.00	200.67
45	#201-1551 Mariner's Walk	127	127	127	127	0.00	4,356.56	868.74	0.00	4,073.27	339.44	{348.37}	{29.03}	0.00	310.41
46	#203-1551 Mariner's Walk	123	123	123	123	0.00	4,219.35	841.38	0.00	5,225.31	435.44	{446.90}	{37.24}	0.00	398.20
47	#205-1551 Mariner's Walk	137	137	137	137	0.00	4,699.60	937.15	0.00	5,060.73	421.73	{432.83}	{36.07}	0.00	385.66
48	#207-1551 Mariner's Walk	151	151	151	151	0.00	5,179.85	1,032.92	0.00	5,636.75	469.73	{482.09}	{40.17}	0.00	429.56
						0.00	5,179.85	1,032.92	0.00	6,212.77	517.73	{531.35}	{44.28}	0.00	473.45



The Owners Leasehold Strata Plan VR2096																		
The Lagoons		Unit Entitlement		Contingency Reserve Contribution Annual	Common Operating Budget Annual	Apartment Type Segregated		Townhouse Type Segregated		Total Contribution before adjustments Annual	Apartment Adjustment Re: CRF		Townhouse Adjustment Re: CRF		Aggregate Monthly Contribution			
STRATA FEE SCHEDULE	Strata Lot	apt	twon			Annual	Annual	Annual	Annual		Monthly	Monthly	Annual	Monthly		Annual	Monthly	
total																		
49	#206-1551 Mariner's Walk	101	101	0.00	3,464.67	690.89	0.00	0.00	0.00	4,155.56	346.30	(355.41)	(29.62)	0.00	0.00	316.68		
50	#204-1551 Mariner's Walk	63	63	0.00	2,161.13	430.95	0.00	0.00	0.00	2,592.08	216.01	(221.69)	(18.47)	0.00	0.00	197.54		
51	#202-1551 Mariner's Walk	99	99	0.00	3,396.06	677.21	0.00	0.00	0.00	4,073.27	339.44	(348.37)	(29.03)	0.00	0.00	310.41		
52	#301-1551 Mariner's Walk	125	125	0.00	4,287.95	855.06	0.00	0.00	0.00	5,143.02	428.58	(439.86)	(36.66)	0.00	0.00	391.92		
53	#303-1551 Mariner's Walk	119	119	0.00	4,082.13	814.02	0.00	0.00	0.00	4,896.15	408.01	(418.75)	(34.90)	0.00	0.00	373.11		
54	#305-1551 Mariner's Walk	134	134	0.00	4,596.69	916.63	0.00	0.00	0.00	5,513.32	459.44	(471.53)	(39.29)	0.00	0.00	420.15		
55	#307-1551 Mariner's Walk	148	148	0.00	5,076.94	1,012.40	0.00	0.00	0.00	6,089.33	507.44	(520.80)	(43.40)	0.00	0.00	464.04		
56	#306-1551 Mariner's Walk	97	97	0.00	3,327.45	663.53	0.00	0.00	0.00	3,990.98	332.58	(341.33)	(28.44)	0.00	0.00	304.14		
57	#304-1551 Mariner's Walk	58	58	0.00	1,989.61	396.75	0.00	0.00	0.00	2,386.36	198.86	(204.10)	(17.01)	0.00	0.00	181.85		
58	#302-1551 Mariner's Walk	95	95	0.00	3,258.85	649.85	0.00	0.00	0.00	3,908.69	325.72	(334.30)	(27.86)	0.00	0.00	297.86		
59	#401-1551 Mariner's Walk	124	124	0.00	4,253.65	848.22	0.00	0.00	0.00	5,101.87	425.16	(436.34)	(36.36)	0.00	0.00	388.80		
60	#403-1551 Mariner's Walk	121	121	0.00	4,150.74	827.70	0.00	0.00	0.00	4,978.44	414.87	(425.79)	(35.48)	0.00	0.00	379.39		
61	#405-1551 Mariner's Walk	133	133	0.00	4,562.38	909.79	0.00	0.00	0.00	5,472.17	456.01	(468.01)	(39.00)	0.00	0.00	417.01		
62	#407-1551 Mariner's Walk	148	148	0.00	5,076.94	1,012.40	0.00	0.00	0.00	6,089.33	507.44	(520.80)	(43.40)	0.00	0.00	464.04		
63	#406-1551 Mariner's Walk	97	97	0.00	3,327.45	663.53	0.00	0.00	0.00	3,990.98	332.58	(341.33)	(28.44)	0.00	0.00	304.14		
64	#404-1551 Mariner's Walk	59	59	0.00	2,023.91	403.59	0.00	0.00	0.00	2,427.50	202.29	(207.62)	(17.30)	0.00	0.00	184.99		
65	#402-1551 Mariner's Walk	100	100	0.00	3,430.36	684.05	0.00	0.00	0.00	4,114.42	342.87	(351.89)	(29.32)	0.00	0.00	313.55		
66	1590 Island Park Walk	205	205	0.00	7,032.25	0.00	349.94	0.00	0.00	7,382.19	615.18	0.00	0.00	1,559.01	129.92	745.10		
67	1592 Island Park Walk	205	205	0.00	7,032.25	0.00	349.94	0.00	0.00	7,382.19	615.18	0.00	0.00	1,559.01	129.92	745.10		
68	1594 Island Park Walk	205	205	0.00	7,032.25	0.00	349.94	0.00	0.00	7,382.19	615.18	0.00	0.00	1,559.01	129.92	745.10		
69	1596 Island Park Walk	205	205	0.00	7,032.25	0.00	349.94	0.00	0.00	7,382.19	615.18	0.00	0.00	1,559.01	129.92	745.10		
70	1598 Island Park Walk	205	205	0.00	7,032.25	0.00	349.94	0.00	0.00	7,382.19	615.18	0.00	0.00	1,559.01	129.92	745.10		
71	1589 Mariner's Walk	93	93	0.00	3,190.24	0.00	158.75	0.00	0.00	3,348.99	279.08	0.00	0.00	707.26	58.94	338.02		
72	1585 Mariner's Walk	90	90	0.00	3,087.33	0.00	153.63	0.00	0.00	3,240.96	270.08	0.00	0.00	684.45	57.04	327.12		
73	1581 Mariner's Walk	93	93	0.00	3,190.24	0.00	158.75	0.00	0.00	3,348.99	279.08	0.00	0.00	707.26	58.94	338.02		
74	1591 Mariner's Walk	149	149	0.00	5,111.24	0.00	254.35	0.00	0.00	5,365.59	447.13	0.00	0.00	1,133.14	94.43	541.56		
75	1587 Mariner's Walk	142	142	0.00	4,871.12	0.00	242.40	0.00	0.00	5,113.52	426.13	0.00	0.00	1,079.90	89.99	516.12		
76	1583 Mariner's Walk	142	142	0.00	4,871.12	0.00	242.40	0.00	0.00	5,113.52	426.13	0.00	0.00	1,079.90	89.99	516.12		
77	1579 Mariner's Walk	93	93	0.00	3,190.24	0.00	158.75	0.00	0.00	3,348.99	279.08	0.00	0.00	707.26	58.94	338.02		
78	1573 Mariner's Walk	182	182	0.00	6,243.26	0.00	310.68	0.00	0.00	6,553.94	546.16	0.00	0.00	1,384.10	115.34	661.50		
79	1569 Mariner's Walk	202	202	0.00	6,929.34	0.00	344.82	0.00	0.00	7,274.16	606.18	0.00	0.00	1,536.20	128.02	734.20		
80	1567 Mariner's Walk	202	202	0.00	6,929.34	0.00	344.82	0.00	0.00	7,274.16	606.18	0.00	0.00	1,536.20	128.02	734.20		
81	1563 Mariner's Walk	92	92	0.00	3,155.93	0.00	157.05	0.00	0.00	3,312.98	276.08	0.00	0.00	699.65	58.30	334.38		
82	1559 Mariner's Walk	90	90	0.00	3,087.33	0.00	153.63	0.00	0.00	3,240.96	270.08	0.00	0.00	684.45	57.04	327.12		
83	1577 Mariner's Walk	141	141	0.00	4,836.81	0.00	240.69	0.00	0.00	5,077.51	423.13	0.00	0.00	1,072.30	89.36	512.49		
84	1575 Mariner's Walk	141	141	0.00	4,836.81	0.00	240.69	0.00	0.00	5,077.51	423.13	0.00	0.00	1,072.30	89.36	512.49		
85	1571 Mariner's Walk	148	148	0.00	5,076.94	0.00	252.64	0.00	0.00	5,329.58	444.13	0.00	0.00	1,125.53	93.79	537.92		
86	1565 Mariner's Walk	148	148	0.00	5,076.94	0.00	252.64	0.00	0.00	5,329.58	444.13	0.00	0.00	1,125.53	93.79	537.92		
87	1561 Mariner's Walk	141	141	0.00	4,836.81	0.00	240.69	0.00	0.00	5,077.51	423.13	0.00	0.00	1,072.30	89.36	512.49		
88	1555 Mariner's Walk	72	72	0.00	2,469.86	0.00	122.91	0.00	0.00	2,592.77	216.06	0.00	0.00	547.56	45.63	261.69		
89	1557 Mariner's Walk	82	82	0.00	2,812.90	0.00	139.98	0.00	0.00	2,952.88	246.07	0.00	0.00	623.61	51.97	298.04		
TOTAL				5,944	4,417	10,361	0.00	355,420.00	40,660.00	7,540.00	403,620.00	33,634.97	(20,916.36)	(1,743.02)	33,591.04	2,799.26	34,691.21	
% allocation rounded				0.57369	0.42631		rounding error	0.00	0.00	0.00	0.00	(0.36)	0.00	0.00	0.00	0.08	0.01	
				57.37%	42.63%						0.00		0.12					

**Prepared by:** FALSE CREEK MANAGEMENT (2006) LTD.

**Attention:** John Cartwright

811 Winthrop Street, New Westminster, BC V3L 5N4

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**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON WEDNESDAY, FEBRUARY 8, 2012 AT 6:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

**Council in Attendance:**

**Regrets:**

Susan Blundell

Kim van der Woerd

Judith Brown

Margaret Kondrosky

Donna Lucas

Karen Madore

John Sanders

Guest: John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by council president John Sanders at 6:00pm.

**ADOPTION OF PREVIOUS MINUTES**

It was **RESOLVED** (Kondrosky/Madore) that the minutes of the regular council meeting held January 4, 2012 be accepted as circulated.

**MOTION CARRIED**

**OLD BUSINESS**

**Lobby Floor – 1502 Island Park Walk**

The travertine floor in the lobby was refinished by Blackstone Marble at a cost of \$ 1,624.00 including tax.

**Fire Safety Deficiencies**

A number of deficiencies were noted as part of the most recent fire safety inspection. These include replacement or re-certification of fire extinguishers, replacement of in-suite smoke alarms, and other issues. The total quoted cost to rectify these is \$ 2,914.75 plus applicable taxes. This work has been authorized.

During the course of the inspection it was noted that the buildings have sprinkler heads that were the subject of a recall. A quotation has been solicited to replace the sprinkler heads throughout.

#### Discussion

Council directed that management discuss this issue with the insurance carrier for the strata corporation, as to whether this issue affects coverage available to the complex.

#### **Balcony Drain Modifications/ Gutter Cleaning – Townhouses**

Canada Waterproofing completed the cleaning of all 41 townhouse balconies, and installed stainless steel anchors and screws for ease of locating/removal, and cleaning of the drains. The cost was \$ 2,939.06 including taxes.

#### **Plumbing & Mechanical**

##### **1551 Mariner Walk**

- The rooftop air circulation fan was found to have seized. The fan was removed and overhauled. The cost was \$ 1,762.60 including tax.
- The float switch in the sump pump assembly was found to be broken, and was replaced at a cost of \$ 1,448.72
- Both sump pumps in the 1551 Mariner Walk parkade were seized, and were replaced with new pumps at a cost of \$ 1,540.00 each including tax.

##### **1502 Island Park Walk**

- The rooftop air heater is still on backorder, but will be installed as soon as it is received by the contractor.

#### Discussion

Council questioned the economics of when to re-build a pump, and when to replace it. Management will ask for a report from the contractor in this matter. Council further requested that an on-site log-book noting maintenance to the mechanical components of the building be kept for review.

#### **Overhead Door Access**

10 transmitters for each parkade entrance (20 in total) were purchased from Valley All-Door for a total cost of \$1,018.08 including tax. The brake solenoid on the 1551 parkade gate required replacement at a cost of \$ 255.90 including tax.

#### **Mice – Building H**

Residents in Building H have reported mice in the walls. Management has engaged Can-Force Pest Control to treat the interior and exterior of Building H. The initial setup cost is \$ 375 plus tax, with monthly visits costing \$145.00 per month plus taxes.

#### Discussion

Council members noted that Building K has the same issue. Management will ask the contractor to expand their scope of services to include the entire complex.

#### **Year-End Bonus to Caretaker**

Management sought direction from council on whether to pay a year-end bonus to the caretaker. This has been the practice in recent years.

#### Discussion

Council directed Management to pay a year-end bonus to the caretaker in an amount agreed, but stipulated that the caretaker should be made aware that this practice will no longer continue, and any year-end payment would instead be built into the annual review of caretaker compensation.

#### **Reported Water Leak – 104 – 1502 Island Park Walk**

On Friday, February 3, 2012, water was reported coming through the ceiling in the kitchen area. The leak flowed for roughly one hour, and then stopped. The caretaker investigated, and inspected the upstairs units on either side, but no cause was apparent. Management will continue to monitor, and there will be some ceiling repair to do, once the cause is ascertained.

#### **Invoice to Owner for Deductible Portion of Insurance Claim – \$15,000**

The insurance adjuster for the owners where the leak originated in July, 2011 has confirmed that the \$15,000 payment has been authorized, and that it should be paid to the owner by February 15, 2012. The owner has indicated that they will then expedite payment in the same amount to VR2096 as soon as this payment is received.

#### **Visitor Parking**

Management initiated a meeting with president of Mariner Point council, but this meeting was deferred by Mariner Point. In the interim, Management has held back on payments for joint expenses invoiced to Lagoons by Mariner Point.

#### **Caretaker Concerns Regarding Parking Stall Sublet**

Management reported to council the circumstances surrounding the subletting of a parking stall by one owner in The Lagoons to another resident. Further to discussion of the matter, council concluded that nothing further need be done at this point in time.

#### **Building K – Unfinished Tile Around Bathroom Window**

Two strata lots in Building K did not have their bathroom tile fully repaired during the course of the building envelope replacement. It is thought that one owner completed the work on their own, while the other remains unfinished. Management inspected the strata lot in question, and confirmed that the work is incomplete.

#### **Discussion**

Council discussed whether the Strata Corporation has any responsibility in this matter. It was concluded that the Strata Corporation would offer a contribution towards repair in the amount of \$500, which represents approximately half of the expected cost to repair this area.

#### **Electrical Vault Cleaning**

Management advised council that the recently scheduled electrical shut-down which was required in order to complete cleaning of the high voltage electrical vault, had to be postponed due to a fire that occurred in Mariner Point on the same day.

#### **CORRESPONDANCE**

No correspondence was presented at this meeting.

#### **FINANCIAL REPORT**

It was **RESOLVED** (Blundell/Madore) that the Operating Statement for the ten months ended December 31, 2011, be accepted as circulated

**MOTION CARRIED**

#### **December 31, 2011(ten months)**

<b>Operating Fund</b>	<b>Apartment</b>	<b>Townhouse</b>	<b>Consolidated</b>
Operating Surplus(Deficit)	\$12,204.79	\$970.93	\$13,175.72

<b>Contingency Reserve</b>	<b>Apartment</b>	<b>Townhouse</b>	<b>Consolidated</b>
Opening Balance	\$62,033.37	\$23,260.90	\$85,294.27
Contributions	\$19,637.40	\$12,817.20	\$32,454.60
Expenditures	(\$7,358.05)	(\$5,467.56)	(\$12,825.61)
Interest	\$215.95	\$160.44	\$376.39
	<u>\$74,528.67</u>	<u>\$30,770.98</u>	<u>\$105,299.65</u>
<b>Balance in Contingency Reserve Segregated Bank Account</b>			<u><u>\$105,299.65</u></u>

## **NEW BUSINESS**

### **2012/2013 Operating Budget**

Council discussed the structure of the budget to be proposed to the owners at the next annual general meeting.

In particular, the allocation of certain expenses on a basis other than unit entitlement was discussed, as this departure from allocation of costs by unit entitlement was never formally ratified by the owners.

Specifically, the following expense categories fall under this issue:

Electricity	80% Apartment
Fire Safety	89.34% Apartment
Elevator Maintenance	100% Apartment
Enterphone Maintenance	100% Apartment

Allocation via unit entitlement results in a division of expenses allocating 57.37% of the costs to Apartment strata lots, and 42.63% to Townhouse Strata Lots.

The avenues open to the Strata Corporation to resolve this matter include the following:

- A unanimous resolution to change unit entitlement, (Section 100 of the Strata Property Act) or
- A three-quarter vote to create two separate sections within the strata corporation, (Section 195 of the Strata Property Act) or
- A three-quarter vote resolution to amend the bylaws to allow the allocation of certain operating expenses based on unit "type" (section 6.4 of the Strata Property Act Regulations)

The other issue facing the strata corporation is that the balances contained within the respective Contingency Reserve Funds need to be combined, and the Townhouse Contingency Fund is currently underfunded.

### **Discussion**

Council members expressed the view that it is necessary to either return to unit entitlement as the method by which costs are allocated, or alternatively to employ one of the three options noted above in order to comply with the requirements of the Strata Property Act.

Management will revise the proposed budget to reflect this constraint.

### **Ground Lease Renewal**

Council members have indicated interest in joining the False Creek South Neighbourhood Association, whose goal is within two years to have an agreement in place with the existing Vancouver City Council on the process for renewing the ground leases that remain to be dealt with. Part of the process would see the revision of the existing Official Community plan for this area that would allow the areas currently constructed to remain as low-density neighborhoods.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:45pm. The next meeting is scheduled for Wednesday, March 13, 2012 at 6:00pm in the meeting room at 1510 West First Avenue.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright

Agent for Owners, Leasehold Strata Plan VR2096

#### **MINUTES RETENTION**

It is recommended that owners retain their copies of all minutes for their own future reference and, for use by Realtors and prospective purchasers from whom such requests are increasing, upon listing of their strata lot for sale. Please note that there is a charge for the cost of photocopying and providing back issues of minutes and/or financial statements.

#### **INSURANCE**

The Strata Corporation wishes to remind all residents that, while the building is adequately insured, *including your strata lot*, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to personal coverage required including loss of rents or loss of use in the event of a major water escape, etc

Prepared by: **FALSE CREEK MANAGEMENT (2006) LTD.**  
**Attention: John Cartwright**  
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Phone: 604-395-5062 Fax: 604-395-5063  
Email: fcmjohn@shaw.ca

**MINUTES OF THE STRATA COUNCIL MEETING OF LEASEHOLD STRATA PLAN VR 2096, ("THE LAGOONS"), HELD ON WEDNESDAY, JANUARY 4, 2012 AT 6:00 p.m. AT THE MARINER POINT MEETING ROOM, 1510 WEST FIRST AVENUE, VANCOUVER, B.C.**

**Council in Attendance:**

Susan Blundell  
Margaret Kondrosky  
Donna Lucas  
Karen Madore  
John Sanders

**Regrets:**

Judith Brown  
Kim van der Woerd

Guest: John Cartwright - False Creek Management (2006) Ltd.

**CALL TO ORDER**

The meeting was called to order by council president John Sanders at 6:00pm.

**ADOPTION OF PREVIOUS MINUTES**

It was **RESOLVED** (Madore/Kondrosky) that the minutes of the regular council meeting held December 7, 2011 be accepted as circulated.

**MOTION CARRIED**

**PROPERTY MANAGEMENT REPORT**

**Electrical Shut-Down**

January 10, 2012 is scheduled by BC Hydro and Mariner Point as the date to shut down electricity to all complexes in the vicinity of Mariner Point in order to complete cleaning of the High-Voltage Electrical Vault.

**Fire Safety Inspection**

The annual fire safety inspection is scheduled to commence January 11, 2012.

**Sump Pump – 1551 Mariner Walk Parkade**

One of the two sump pumps in the parkade area recently failed, and required replacement.

**OLD BUSINESS**

**Rooftop Heater – 1502 Island Park Walk**

Management advised council that due to the time delay in ordering the replacement heater, it was not expected to be installed before January 31, 2012.

### **Visitor Parking – Mariner Point**

Management advised council that in discussions with Mariner Point management, the council for Mariner Point requested an informal meeting with Lagoons council to discuss the proposal for parking stall allocation and revenue sharing recently forwarded to Mariner Point for their consideration.

### **Repayment of \$15,000 insurance loss deductible invoiced to Building H strata lot owner**

Management informed council that the invoice rendered to a strata lot in Building H for the deductible portion of the insurance loss related to a cracked toilet tank had still not be paid to the Strata Corporation.

#### **Discussion**

Council requested that Management contact the insurance adjuster for the strata corporation in this matter to determine whether this can be resolved between the owner's and the strata corporation's respective insurance companies. Council members noted that this matter is stressing the finances of the Strata Corporation, and it is important to resolve this before the end of the fiscal year.

### **CORRESPONDANCE**

A letter was received calling attention to a conflict arising out of the private rental of the owner's parking stall. Council instructed Management to review the matter with those involved in order to ascertain what did occur.

#### **Discussion**

Council instructed management to review this matter with the caretaker upon his return from holiday.

### **FINANCIAL REPORT**

It was **RESOLVED** (Blundell/Kondrosky) that the Operating Statement for the eight months ended October 31, 2011 be accepted as circulated **MOTION CARRIED**

It was **RESOLVED** (Blundell/Sanders) that the Operating Statement for the nine months ended November 30, 2011 be accepted as circulated. **MOTION CARRIED**

#### **November 30, 2011(nine months)**

<b>Operating Fund</b>	<b>Apartment</b>	<b>Townhouse</b>	<b>Consolidated</b>
Operating Surplus(Deficit)	\$6,869.74	(\$2,084.57)	\$4,785.17

<b>Contingency Reserve</b>	<b>Apartment</b>	<b>Townhouse</b>	<b>Consolidated</b>
Opening Balance	\$62,033.37	\$23,260.90	\$85,294.27
Contributions	\$17,673.66	\$11,535.48	\$29,209.14
Expenditures	\$0.00	\$0.00	\$0.00
Interest	\$191.71	\$142.43	\$334.14
	\$79,898.74	\$34,938.81	\$114,837.55

<b>Balance in Contingency Reserve Segregated Bank Account</b>	<b>\$114,837.55</b>
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## **NEW BUSINESS**

### **2012/2013 Budget Discussion**

Management presented an updated draft budget for discussion.

Management indicated that the dominant issue in the budget deliberations for the next fiscal year is the allocation of certain expenses between Apartment and Townhouse strata lots. Since 2005, these costs have been allocated in a manner other than by unit entitlement. Unit entitlement is generally arrived at by calculating each strata lot's area as set out in the registered strata plan as a proportion of the total area of every strata lot in the Strata Corporation.

Specifically, the following expense categories fall under this issue:

Electricity	80% Apartment
Fire Safety	89.34% Apartment
Elevator Maintenance	100% Apartment
Interphone Maintenance	100% Apartment

Allocation via unit entitlement results in a division of expenses allocating 57.37% of the costs to Apartment strata lots, and 42.63% to Townhouse Strata Lots.

Management advised that in its review of prior year's General Meetings and other Council documentation, a tremendous amount of effort was expended by the prior Treasurer working with the then Strata Council to arrive at the rationale for changing the allocation of expenses for the above noted categories. It also appears that the Owners as a whole agreed with these changes as a matter of consensus. However, the ratification of these changes was never completed by the owners, either by the creation of two sections in the Strata Corporation, or by a unanimous vote to alter unit entitlement. In order to comply with the provisions of the Strata Property Act, it is necessary that the owners approve one of the two afore-mentioned options.

### **Discussion**

Council directed that the existing draft budget be broken down into contribution by each strata lot, firstly according to the above noted altered cost allocation, and then secondly according to unit entitlement with no alteration. This will then be reviewed by Council prior to making a recommendation to the owners.

### **2012/ 2013 Maintenance Projects**

Council decided to draw up a list of Maintenance projects for review at the next council meeting, with a view to making recommendations to the Owners at the next General Meeting. Some of these will arise out of the RDH Building Maintenance Manual which specifies certain tasks be undertaken in the next year, while others may be more cosmetic in nature.

### **Depreciation Report**

Management advised council that by the end of calendar 2013, all strata corporations will be required to complete a Depreciation Report as set out in the Strata Property Act. <http://www.housing.gov.bc.ca/strata/regs/OIC-SPA.pdf> The purpose of this report is to estimate the remaining life of capital assets owned by the Strata Corporation, budget for their replacement, and arrive at a suitable annual contribution to the Contingency Reserve Fund in order to properly plan for those future expenditures. It is also an option for the Strata Corporation to waive the requirement for this report through a three quarter vote at each Annual General Meeting.

### **Enterphone Address Panels**

Council members noted that the address panel on the Enterphone for both Apartment buildings needed to be updated by the caretaker.

### **Interior Tile Around Bathroom Windows in Building K**

Council member Margaret Kondrosky indicated that a resident of Building K expressed renewed concern over the alleged improper replacement of the tile around her bathroom window which took place during the building restoration several years earlier. Management will endeavor to meet with the owner and see if a solution to this problem can be found.

### **Ground Lease Subcommittee**

Council members John Sanders and Donna Lucas again asked that any owners interested in assisting with the work currently underway by the Ground Lease Subcommittee are invited to contact either member should they wish to volunteer. This issue will only become more pertinent as each year passes. Owners can contact management (john@falsecreekmanagement.ca), who will then pass on expressions of interest to Council.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:50pm. The next meeting is scheduled for Wednesday, February 1, 2012 at 6:00pm in the meeting room at 1510 West First Avenue.

Respectfully Submitted;

**FALSE CREEK MANAGEMENT (2006) LTD.**



John Cartwright

Agent for Owners, Leasehold Strata Plan VR2096

#### **MINUTES RETENTION**

It is recommended that owners retain their copies of all minutes for their own future reference and, for use by Realtors and prospective purchasers from whom such requests are increasing, upon listing of their strata lot for sale. Please note that there is a charge for the cost of photocopying and providing back issues of minutes and/or financial statements.

#### **INSURANCE**

The Strata Corporation wishes to remind all residents that, while the building is adequately insured, *including your strata lot*, Owners should ensure that they have current insurance coverage in place for their personal contents (located in-suite, storage room and parking garage), personal liability coverage for the tenant or the Unit Owner and insurance coverage for any improvements that have been made to your unit. For more information, please contact your insurance agent as to **personal coverage required** including loss of rents or loss of use in the event of a major water escape, etc