

**PINNACLE MUSEUM TOWER OWNERS' ASSOCIATION**

**BOARD OF DIRECTORS MEETING**

February 16, 2006

**REGULAR SESSION MINUTES**

**NOTICE OF  
MEETING:**

Upon due notice given and received a meeting of Pinnacle Museum Tower Owners' Association was held February 16, 2006 at the hour of 6:30 p.m. in the Amenity Room.

**ATTENDANCE:**

Directors Present: Jim Roberts, President  
Robert Natapow, Treasurer  
Apriano Meola, Secretary  
Rick Bortolussi, Director

Directors Absent: Chris Eddy

Representing The Prescott Companies was Vicki MacHale and Rich Giandomenico.

Approximately 35 members were in attendance at the meeting.

**CALL TO  
ORDER:**

Jim Roberts called the meeting to order at 6:30 p.m.

**EXECUTIVE  
SESSION  
DISCLOSURE:**

Jim Roberts informed the membership present of the issues discussed and/or acted upon during an Executive Session Meeting of the Board which took place immediately prior to the Regular Session Board Meeting.

- The Board took action on two owner enforcement matters and an owner request.
- The Board met with Concierge-at-Large owner, Cynthia Adkins. Concierge-at-Large has been asked to present a proposal for review at the next BOD meeting for a comprehensive approach to security and concierge staff and training and supervision.
- It was noted that the Board took emergency action on February 9, 2006 via an "action by unanimous written consent" to add an additional security guard on a temporary basis.
- The Board agreed to compensate Management for an Assistant Property Manager, Amanda Montour, on a month-to-month basis until the Board could determine if two full-time on-site property management people are needed on a permanent basis.

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- The Board met with legal counsel regarding the necessity to amend the CC&R's to require owners to maintain an HO-6 insurance policy for improvements, contents and liability.
- The Board also considered shifting the maintenance obligation for dryer vents, heat pump filters, condensate lines and washer hoses from the owners to the HOA.
- Legal counsel will present proposed language to the Board for review and distribution to membership on both issues.
- The Board reviewed several window washing bids, but tabled a decision until additional information could be gathered regarding the certification of the equipment and meeting with Tractel, the equipment supplier. The Board also is seeking an additional bid for window washing from another vendor. Additionally, the Board feels it is not in the best interest of the community to proceed with window washing until after it rains at least once.
- The Board reviewed a request for handicap parking assignment.
- Jim Roberts announced that the Board was satisfied that Richard Walker would adequately address the Board's concerns regarding operational issues related to the build out of his commercial space.

**APPROVAL  
OF MINUTES:**

Upon a motion made, seconded and carried, the Board approved the Organizational Minutes of the January 9, 2006 Organizational Meeting.

The January 9, 2006 Annual Meeting Minutes were reviewed for content and will be submitted to the membership for formal approval at the 2007 Annual Meeting.

**COMMITTEE**

**APPOINTMENTS:** Committee Charter: Upon a motion made by Robert Natapow, seconded by Rick Bortolussi and carried, the Board approved the Committee Charters as presented by Management.

Committee Appointments: Upon a motion made by Robert Natapow, seconded by Rick Bortolussi and carried, the Board appointed the following Committees:

**Safety & Concierge Committee**

Brett Schafter, Chairman

Bob Natapow & Jim Roberts, Board Liaisons

Colleen McDonald

Glenn Stokes

Melanie Branca

Tim Cloonan

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**Architectural Committee**

Roger Dyer, Chairman  
Chris Eddy & Rick Bortolussi, Board Liaisons  
Jim Cox  
Terry Jordan  
Bobbi Gilliam  
Victoria Johnson  
Jose Figueroa

**Building & Maintenance Committee**

Ken Hawkins, Chairman  
Jim Roberts, Apriano Meola, Robert Natapow, & Chris Eddy Board Liaisons  
Pat McArron  
Linda Marabian  
Steve Sparta  
Larry Rippey  
Joe Mansolillo

**Finance Committee**

Elizabeth Berg, Chairman  
Bob Natapow, Board Liaison  
Rudi Weider  
Tim Cloonan  
Laura Day  
Sande Zatt  
Lana Whaley\*

**Social Committee**

Richard Walker, Chairman  
Chris Eddy, Board Liaison  
Vicky Eddy  
Mary Bashore  
Colette Hooper  
Becky Osterberg  
Todd Ruth\*  
Bev Zukor

**Website Committee**

Pat McArron, Chairman  
Jim Roberts, Board Liaison  
Todd Ruth  
Stan Marder

(\*Note: Subsequent to the meeting, Ms. Whaley and Mr. Ruth switched their committee assignments.)

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**FINANCIAL  
REPORT:**

Robert Natapow presented the financial report. As of January 31, 2006 the associations' financial status is as follows:

Operating Balance:	\$106,025.26
Reserve Balance:	\$ 26,511.87
Delinquencies:	\$ 38,437.00
Total Assets:	\$131,537.13

Upon a motion made, seconded and carried, the January 1, 2006 financial reports were approved, subject to the auditor's year end report.

**COLLECTIONS:** Upon a motion made, seconded and carried, the Board directed Management to proceed with the associations' approved collection policy for the following accounts:

xxxxx-x-xxx-x	\$1,219.00
xxxxx-x-xxx-x	\$1,269.00
xxxxx-x-xxx-x	\$1,355.00

**MANAGEMENT  
REPORT:**

Jim Roberts presented the Management report:

Poll Results / Fob Access: Mr. Roberts informed the membership present that of the fifteen members who responded to the recent on-line poll regarding fob access, thirteen (13) were in favor of having fob access to all floors (with the exception of the penthouse which is under construction; floors 34 & 35) while two, (2) were in favor of the current policy which restricts fob access to the floor of a member's unit. Jim Roberts then polled the members present and found that twenty-three were in favor of having fob access to all floors (with the exception of floors 34 & 35) while one (1) was in favor of the current policy. The Board will go forward with notice to the membership of the intent to formally adopt an elevator access policy which allows access to all floors (with the exception of floors 34 & 35) for an owner with a fob.

Trash Issues: Mr. Roberts directed the website committee to post information on the community website reminding residents to place trash in plastic bags prior to placing trash in trash chutes.

The Board has instructed Management to place recycling bins on P2 and P3 to make it easier for residents to recycle.

Janitorial Concerns: Mr. Roberts polled the membership present to see if there were any concerns with the current level of janitorial service. Overall, the membership was very pleased, but stated the restrooms located near the workout room could use additional service, due to lack of being sealed by developers. Several members stated that they would like to have janitorial staff on-site 24/7. In the interim, Mr. Roberts directed Management to provide the Security staff with basic cleaning supplies in the event that an emergency situation occurred during the hours janitorial staff were not on the premises.

Parking: The Association currently has no deeded parking spaces for visitors and on site staff. Pinnacle International has kept title to all remaining spaces not deeded to individual units. The Board has asked the Developer to deed fourteen (14) parking spaces on the ground floor level for guests and ten (10) additional spaces on P1 currently held by Pinnacle International, for staff, service & repairmen, etc.

Parking Decals: Mr. Roberts polled those present to determine if there was an interest in updating the current parking decal to one that would depict the name and/or logo of the Pinnacle Museum Tower Owners' Association. Mr. Roberts turned this matter over to the Resident Safety & Concierge Committee to research and report back to the Board.

Door Mats: Mr. Roberts informed the membership that the Board was considering the need for suitable non-skid logo door mats for the front and side doors of the lobby area, to be used when it is raining outside. The Board agreed to rent mats on a temporary basis; however the Association is looking to the Developer to pay for the cost of permanent mats. Mr. Roberts turned this matter over to the Resident Safety & Concierge Committee to research and report back to the Board.

Message Boards: Mr. Roberts polled the members present to see if there was a need to install message boards within the building, as currently, flyers and need-to-know information is being posted in the elevators. There was a general consensus that message boards are needed, but not a consensus as to where they should be placed: (near Management's office; Gym; P2 or P3). Mr. Roberts turned this matter over to the Resident Safety & Concierge Committee to research and report back to the Board.

Keypad Access to Lobby: Mr. Roberts informed the membership present that there was a concern with the manner in which names were listed in the keypad computer. Members present had mixed views on how owner information should be listed. Mr. Roberts turned this matter over to the Resident Safety & Concierge Committee to research and report back to the Board.

Alarm Monitoring & Smoke Detector Cleaning: Mr. Roberts explained Management's concerns that the alarms are not being continuously monitored as the smoke detectors are currently dirty from construction debris and dust and are causing numerous false alarms. Apriano Meola, on behalf of the developer, stated that he would contract for having the smoke detectors cleaned so that continuous monitoring could occur, but will do so only on a one time basis and thereafter it will be the homeowners' obligation to maintain.

Punch List & Notifications of Safety Problems to Developer: Mr. Roberts informed the membership present that he had sent several letters to the developers regarding various concerns within the building:

1. Lobby furniture is undersized and white leather is very impractical; white granite lobby floor presents a serious maintenance issue; potted plants need to be added to the lobby to give it a finished appearance.
2. Request that the developer purchase a garage sweeper for the Association at a cost of \$14,000.00.
3. Garage safety concerns including the need for additional traffic markings and mirrors for blind spots.
4. Concerns regarding groundwater seepage through the concrete on P2 and P3.
5. Inadequate office space.
6. Safety concerns regarding the current partition in front of the mail boxes.
7. A comprehensive punch list of items needing repair or completion.

Mr. Roberts further explained that to date, he has not received an answer back from the developer, but was expecting to hear from the Developer soon regarding these matters.

Mr. Roberts then discussed parking and traffic flow issues and noted that this project is very complex because it involves residential units, commercial units and the Children's Museum all occupying the same site. Mr. Roberts and the other homeowner board representatives are concerned that the Developer did not

fully plan how to handle the parking and traffic flow generated by this multi-use facility. Mr. Roberts felt it is important to establish a liaison to the Children's Museum, commercial unit owners and Pinnacle International to address these concerns.

Upon a motion made by Robert Natapow, seconded by Jim Roberts and carried, the Board formed a Children's Museum Committee and appointed Karen McElliott, Apriano Meola and the Chairman of the Safety & Concierge Committee to the committee. The role of this committee will be to work with the developer and the museum owners to address future safety and parking concerns.

**UNFINISHED  
BUSINESS:**

Flora Replacement: Management presented a proposal in the amount of \$960 to the Board to for the replacement of seasonal color located around the building. Mr. Roberts stated that he feels the landscape installed by the developer is not acceptable for such a high-end project and before discussing the expenditure to expending association funds for color replacement, he wants to speak with the Developer to resolve the issue of inadequate landscaping. The Building & Maintenance Committee and Architectural Committee will be tasked to identify problematic areas.

Condenser Water Loop Treatment Service: Upon a motion made by Robert Natapow, seconded by Rick Bortolussi and carried, the Board approved a contract in the amount of \$650 per month from Aquatec Chemical Services to treat the condenser water. Apriano Meola, on behalf of the developer stated that he would ensure that the system is flushed now that construction is complete.

Security: Mr. Roberts explained to the membership that the security system installed by the developer is inadequate for the building and additional camera coverage needs to be installed on P1, P2, P3 and around the building. Mr. Roberts additionally felt that a kiosk was also needed on the ground floor parking area and perhaps this kiosk could be combined with the parking kiosk for the Children's Museum parking area.

**NEW  
BUSINESS:**

Amenity Rooms / CC&R Amendment: Jim Roberts explained to the membership present that there was a need to amend the governing documents to require homeowners to obtain \$1,000,000.00 in liability coverage naming the association as additional interested party. He explained that the insurance rider would be extremely

beneficial to the membership as it would erase the need currently in place that requires members to obtain special event insurance riders each time they wanted to use the amenities room, guest rooms or theater room. Mr. Roberts further explained that his amendment would not only make it easier to use these rooms, but would reduce administrative burdens for Management, thereby allowing for a waiver of fees associated with using these rooms.

Mr. Roberts further suggested that if any fee for use of facilities is kept as part of the Association rules, it should be for those who reserve the room, but then cancel at the last minute and therefore make it unavailable to others who wish to use the room. Mr. Roberts then took a poll of the room, and those in attendance were in agreement that a fee of \$100 should be assessed to those who did not cancel their reservation at least 48 hours in advance of their reservation. Mr. Roberts then polled those present to see if there was an interest with the amendment to the CC&R's and future rule changes, which there was. Management was instructed to contact legal counsel to add this amendment to those already being drafted by association legal counsel.

Move In/Out Fees & Procedures: Upon a motion made by Robert Natapow, seconded by Jim Roberts and carried, the Board agreed not to charge move in/out fees for the first occupant of each unit. Thereafter, however, the Board did agree a fee of \$250.00 will be charged to cover the costs for move outs or subsequent move ins. This rule amendment will be noticed to the membership and the rule formally adopted by the Board once the notice requirements have been met.

Pool Area / Gym Area Signage: Mr. Roberts explained that Management suggested the posting of facility usage rules at the pool and gym area. Mr. Roberts directed management to provide a copy of the suggested rules to the Safety and Concierge Committee for review and submittal to the board on adopting / amending of the current rules and the need for signage.

Defibrillators: Mr. Roberts introduced Karen McElliott, member and founder of San Diego Project Heartbeat. Mrs. McElliott explained to the membership present, the need for Automated External Defibrillators within the building. As a member, she offered to donate one defibrillator and recommended the Association purchase a second one for an approximate cost of \$1800.00. Mrs. McElliott also offered to provide training to homeowners, at their own cost.



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Upon a motion made by Robert Natapow, seconded by Jim Roberts and carried, the Board approved acceptance of Mrs. McElliott's offer to give the Association a defibrillator; the Board deferred action on a second defibrillator and the cost to provide an appropriate training program for staff.

Meeting Frequency: It was announced that the Board will conduct executive sessions as needed in between regularly scheduled business meetings in an attempt to address all of the urgent business facing the Association at this time. Proper notice will be given in advance of any executive meeting.

**HOMEOWNER  
FORUM:**

The floor was opened to the membership for questions and comments. There were none presented.

**ADJOURNMENT:** With no further business to come before the Board, the meeting was adjourned at 9:26 p.m. The next open session Board meeting will be held March 16, 2006 @ 6:00 p.m. in the Amenity Room.

**ATTEST:** \_\_\_\_\_

**DATE:** \_\_\_\_\_