

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010**

The meeting was held in the townhouse lobby of Citygate 1- LMS195 - 1182 Quebec Street, Vancouver, B.C.

CALLING OF THE ROLL

The meeting was called to order at 7:06pm by Olga Volkoff, Council President who chaired the meeting.

Before any business can come before this meeting a quorum has to be established. It was noted at the time the meeting was called to order 7:06 pm. there were 30 (thirty) Owners were present in person and 18 (eighteen) Proxies for a total of 48 (forty - eight) The Council President advised that as per the Strata Property Act, a quorum had not been reached. Therefore, as per the Strata Bylaw;

“2.1 One third of the persons entitled to vote, present and in person, or by proxy, constitutes a quorum. If within half-hour from the time appointed for a general meeting a quorum is not present, the persons present in person or by proxy and entitled to vote will constitute a quorum”.

The meeting was adjourned and was to be reconvened at 7:35 pm. When the meeting was called to order at 7:35, there were 48 owners represented in person and/or by proxy.

Owners in attendance were welcomed and thanked for attending the meeting.

AGENDA

A Motion was made to accept the Agenda as presented. Seconded. Carried.

APPROVAL OF THE MINUTES

A Motion was made to approve the Minutes of the July 9, 2009 Annual General Meeting as distributed. Seconded. Carried.

PRESIDENT’S REPORT

The Strata Council President Olga Volkoff provided the ownership with a brief report outlining some of the issues Strata Council addressed over the past year.

The Strata Council has:

- Reviewed and renewed regular service and maintenance contracts.
- Continued efforts to educate residents on strata bylaws and rules
- Monitored annual expenditures and prepared a realistic budget for the upcoming year.
- Continue to efficiently address the strata corporation’s regular and ongoing needs.

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 2**

Olga Volkoff noted that as per the Health Board's request the pool was repainted. Also repairs were conducted on the pool surface. She mentioned that, fortunately, the report provided by Marsh Engineering indicated that the cracking was not structural.

She also mentioned that the fire panel is going to be replaced due to the age and difficulty finding replacement parts. The project is in progress

It was noted that the Strata Council has been busy over the past year, meeting monthly to make decisions related to maintenance, finance, staffing, security, and bylaws. Those activities are detailed in the Strata Council meeting minutes distributed to all residents and non-resident owners of City Gate 1. Urgent matters are always addressed via e-mail.

Olga thanked to all council members who volunteered this past year and very generously gave their time to help keep City Gate 1 a safe and pleasant place to live for all residents.

She also extended the following thanks:

- Thank you to Sylvia Hoogstins of Gateway Property Management for her expertise, patience and guidance.
- Thank you to Ted McGrath for his tremendous help in dealing with day-to-day building maintenance, looking after the building's facilities, and administration of the strata office.

The owners were reassured that Council strives to collectively represent the best interests of all owners.

Following the Council's report the owners present brought the following issues for discussion:

The pilot program to reduce gas and electrical use in high-rise multi family buildings.

Owners were reminded that the program will provide funding to Strata Corporations to implement systems to reduce gas and electrical use. The savings in utility costs can be used to pay back loans to finance the cost of the systems.

The program starts with an energy assessment by Terasen Gas. The \$5000.00 cost for the assessment is paid by the City. A proposal for energy savings is then put together for the Strata Corporation to consider and decide whether they wish to proceed.

The Strata Council agreed to sign up Citygate for the City of Vancouver pilot program.

CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 3

Back up plan to help people who might need help in case of emergency

It was suggested that Strata Council should have a register of people who need help in case an emergency situation occurs such as a fire alarm. One owner suggested that the security system (TV channel) can be used to make announcements. The Strata Council is looking into it and will report through the Council meeting minutes

Major renovation of BC Place Stadium - One owner expressed his concerns with the noise that might affect the residents of Citygate during the major renovation of BC Place Stadium. The retractable roof is expected to be complete early in 2011. The Strata Council is looking into this matter and additional information will be reported through the Council meeting minutes.

INSURANCE REVIEW

In accordance with the Strata Property Act, the Strata Corporation is required to maintain full replacement value coverage for the building and may require added additional coverage for liability, Council errors and/or omissions, etc.

The Strata Corporation's insurance was renewed. The insurance is effective April 1, 2010 to March 31, 2011. The property is currently insured for \$64,868,000.00. The Certificate of Insurance was included in the Notice of The AGM.

There are significant deductible amounts and all owners are encouraged to consult with their own insurance provider to ensure that deductible coverage is included in the owner's personal insurance coverage. If a strata lot is found to be responsible for an insurance claim, the cost of the repairs if less than the deductible will be charged back to the strata lot. If the claim is more than the deductible, then the cost of the deductible will be charged back to the strata lot.

The owners are kindly advised that the **Strata Corporation's water loss insurance deductible is currently \$10,000.00.**

BFL Canada, the building's insurers, has a Regal Homeowner policy that provided additional private coverage in conjunction with the Strata Corporation's insurance which owners could enquire about by calling them at (604) 669-9600.

INDIVIDUAL INSURANCE COVERAGE

Obtaining individual insurance coverage is strongly recommended.

It is the responsibility of individual owners to obtain their own content/liability insurance for their strata lots. Owners are also responsible for improvements made to their units and should also obtain "betterment" insurance in this regard.

Residents, owners and tenants are also strongly urged to ensure that they maintain a "secondary living expense fund" in the event that an incident within the building keeps them from living in their residences for an extended period of time. The Strata Corporation's insurance is not responsible for these costs.

Owners should also be aware that if, in the course of a fire, flood or some other unforeseen occurrence, a resident's possessions are damaged, that person must make a claim for compensation through their own insurance company as this is NOT covered under the building's insurance policy. Non-residents should also ensure that their tenants clearly understand this.

It was moved/seconded and **CARRIED** that the report on insurance coverage had been received

APPROVAL OF THE BUDGET

It was moved/seconded to approve the proposed operating budget(s) as circulated for the fiscal year May 1, 2010 to April 30, 2011.

Mark Iwanaka presented the 2010-2011 fiscal year budget. He advised that the 2009-2010 budget includes a 3.5% increase in the condominium fees. Information was relayed to the ownership with respect to expenditures, projections for the upcoming fiscal year, costs and contracts currently in place, services that had been provided to the Strata Corporation over the past year and other projections for the upcoming fiscal year. All costs associated with the 2009-2010 fiscal year were accrued into the appropriate year. This allows for a more accurate 2010-2011 budget to be presented.

Mark noted there are funds budgeted to improve the recreation facilities. Also he mentioned that the budget line 5730 shows the funds allocated to replace the fire panel.

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 5**

Discussion:

A question arose regarding whether there is an increase in the management fees. The property manager advised that no increase was applied by Gateway. However, starting July 1, 2010 the HST is in effect.

A question arose regarding whether there is an increase in the caretakers' wages. Council advised that there is no increase their wages as shown by the lines 4805 and 4810 of the budget.

There being no further discussion the Chairperson called for the vote, the result being 47 IN FAVOUR, 1 OPPOSED, 0 ABSTAINED. **CARRIED.**

$\frac{3}{4}$ VOTE RESOLUTIONS

The Adoption of any special resolutions requires it to pass by $\frac{3}{4}$ or more of the votes cast.

$\frac{3}{4}$ VOTE RESOLUTION 1

Olga Volkoff presented $\frac{3}{4}$ Vote Resolution 1. At the July 9, 2009 Annual General Meeting, bylaws were approved to allow all owners to rent their suites during the Olympics. There was also a number of housekeeping bylaws approved associated with the rental of suites during the Olympics. Bylaws # 23.1 to 23.5 are no longer required and need to be repealed.

The wording of the proposed resolution is as follows:

THEREFORE BE IT RESOLVED that the Owners of Strata Corporation LMS195 Citygate 1 repeal bylaws 23.1 to 23.5 in their entirety.

- 23.1 Strata lot owners who purchased after June 29, 2006 and were not grandfathered under the new rental bylaw that was adopted on June 29, 2006 will be granted permission to rent their suite during the Olympics. Strata lot owners who are not grandfathered and purchased their suite after June 29, 2006 must return the status of their suite to "owner occupied" as of March 31, 2010.
- 23.2 Failure to return the status of the suite to "owner occupied" as of March 31, 2010 will result in fines as per bylaw 18.7.
- 23.3 All strata lot owners who rent their suites must supply a Form K indicating that their tenant has been provided with a copy of the bylaws for Citygate 1 and the tenant's contact information is supplied to the Strata Corporation.

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 6**

- 23.4. All strata lot owner who rent their suites for a short term rental during the Olympics must pay a user fee of \$250.00 per week to be used to help pay the additional costs that will be incurred during the Olympics such as extra cleaning and security.
- 23.5 Strata lot owners will be responsible for any damage to the common area that is caused by their tenant. Strata lot owners will also be responsible for any fines that result due to the infraction of bylaws by their tenants.

End of resolution

It was then Moved/ Seconded that the resolution is adopted as presented.

There being no further discussion the Chairperson called for the vote, the result being 48 IN FAVOUR, 0 OPPOSED, 0 ABSTAINED. **CARRIED**

¾ VOTE RESOLUTION 2

Olga Volkoff presented ¾ Vote Resolution 2. On January 1, 2010 a number of changes was made to the Strata Property Act by the Provincial Government. Section 142 of the Strata Property Act, Limits to Rental Restriction Bylaws, reads as follows:

1. *For the purpose of this section, "family" and "family member" have the meaning set out in the regulations.*
2. *A bylaw referred to in section 141(2) does not apply to prevent the rental of a strata lot to a member of the owner's family.*
3. *A rental of a strata lot to a family member under this section creates an assignment of the owner's powers and duties under section 148.*

The following was added to this section of the Strata Property Act in order to clarify the section.

4. *If the bylaws of a strata corporation include a bylaw referred to in section 141 (2) (b) (i), a residential strata lot that has been rented*
 - a) *to a member of the owner's family, or*
 - b) *under an exemption from the bylaw granted or allowed under section 144*

is not to be considered, for the purposes of that bylaw, as a residential strata lot that has been rented.

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 7**

The purpose of adding number 4 to the Act is to prevent Strata Corporations from counting suites that have been rented to family or have been rented under hardship as part of their rental restriction cap number.

Citygate's bylaw 18.8 currently states that units occupied by family members other than the owner or units rented based on hardship are to be used in defining the rental cap. This is now in contravention of the Strata Property Act.

The current bylaw reads as follows:

18.8 LMS 195 rental restriction Bylaw 18 came into effect 29 June 2006. All owners at that time were grandfathered and may rent their unit at any time. The number of rentals permitted under the bylaw was capped at 40 units out of the total of 173 units.

New owners subsequent to the bylaw coming into effect may rent their unit when the number of rental units falls below the cap following the guidelines below. New owners wishing to rent their unit (nominees) may place their name on a rental waiting list register maintained by the Property Management Company. Requests to rent will be processed based on a first come first served basis on the rental waiting list as of the date/time the request is received in writing in the office of the Property Management Company

Units considered rented for defining the rental cap include:

- Units rented by grandfathered owners.*
- Units occupied by family members other than the owner.*
- Units rented under hardship as determined by Council on a per case basis.*

THEREFORE BE IT RESOLVED that the Owners of Strata Corporation LMS195 Citygate 1 amend bylaw 18.8 as follows:

Current:

Units considered rented for defining the rental cap include:

- Units rented by grandfathered owners.*
- Units occupied by family members other than the owner.*
- Units rented under hardship as determined by Council on a per case basis.*

Amended:

Units considered rented for defining the rental cap include:

- Units rented by grandfathered owners.*

End of resolution

It was then Moved/ Seconded that the resolution is adopted as presented.

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 8**

There being no further discussion the Chairperson called for the vote, the result being 47 IN FAVOUR, 1 OPPOSED, 0 ABSTAINED. **CARRIED**

¾ VOTE RESOLUTION 3

Olga Volkoff presented ¾ Vote Resolution 3. As part of the common area restoration that was done after the repiping of the building, the suite doors and frames were painted. Unfortunately the paint did not adhere properly to the doors and frames and has started to scratch and peel on most doors. The Strata Council discussed possible options to remedy this issue including replacing the doors with stained wooden doors or sanding, repairing and repainting the doors.

There is currently \$20,304.28 in the special assessment account. It is anticipated that the cost to properly repaint the suite doors will be approximately \$175.00 per door. The Strata Council is requesting permission to use the remaining funds from the Special Assessment account and no more than \$15,000.00 from the Contingency Reserve Fund to repair and repaint the doors and install corner guards on the walls around the elevators on each floor.

The wording of the proposed resolution is as follows:

THEREFORE BE IT RESOLVED that the Owners of Strata Corporation LMS195 Citygate 1 allow the use of the remainder of the funds in the Special Assessment account, \$20,304.28, and no more than \$15,000.00 from the Contingency Reserve Fund to cover the cost to repair and repaint the suite doors and install corner guards on the walls around the elevators on each floor.

End of resolution

It was then Moved/ Seconded that the resolution is adopted as presented.

Discussion: With the placement of this resolution before the meeting there were numerous speakers both for and against the proposed resolution.

Sarah Moen provided the ownership with detailed information regarding the painting project. She advised that the cost to repaint the suite doors will be \$175.00 which will include sanding, repairing and repainting the doors. Questions were raised regarding security concerns and the reputation of the contractor and they were answered by Council.

This was obviously an important issue for many and that is why there was considerable time devoted to the discussion before the vote was called.

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 9**

There being no further discussion the Chairperson called for the vote, the result being 45 IN FAVOUR, 3 OPPOSED, 0 ABSTAINED. **CARRIED**

ELECTION OF STRATA COUNCIL

The Strata Council was thanked for all their work during the past fiscal year.

The following Strata Council members will continue on to their second year as Strata Council members: Olga Volkoff, Mark Iwanaka, Norm Gallinger

The following owners agreed to join the Strata Council:
Don Calder, Armand Akhanavan, Christine Wallsworth, Kenn Coblin.

A Motion was made to elect the Strata Council members as presented. Seconded. Carried.

NEW BUSINESS

Parkade Oil stains

There was a question regarding the oil stains in the parkade .Strata Council advised that the parkade will be inspected on a regular basis and letters will be sent to all residents with oil stains in their parking stalls. Owners are reminded the Bylaw # 8.10 which states:

8.10 Oil leaks and exhaust pollution stains in parking stalls are the responsibility of the strata lot owner and the affected stall(s) must be cleaned by the strata lot owner and the strata lot owner must ensure that the offending vehicle is removed and not returned to the parking stall(s) until it has been repaired. If after ten (10) days' notice, the vehicle has not been repaired and the stall(s) cleaned, the strata lot owner will be subject to a fine and the vehicle will be towed at the vehicle owner's expense. The strata corporation will have the stall(s) cleaned at the strata lot owner's expense and the owner may be fined up to \$100.00

Elevator Cabs

It was mentioned that the elevator cabs are in a poor shape and should be reconditioned. Strata Council advised that this is a costly project, however it will be considered in the future.

Window cleaning

The window cleaning of the inaccessible windows will begin on **Monday, August 30, 2010 through to** Friday, September 10, 2010 between 8:00 a.m. to 6:30 p.m. (weather permitting).The job takes approximately 2 weeks to complete but will not include weekends.

**CITYGATE 1 LMS195
MINUTES OF THE ANNUAL GENERAL MEETING
JULY 13, 2010
PAGE 10**

Owners are kindly asked to report any concerns regarding the cleaning to the on site staff **while the workmen are on site.** Any after hours complaints may be placed in the mail slot located in the meeting room door for the Manager to receive the following day.

Pigeon nuisance

One owner noted that pigeons were attending a few areas of the building for the past few weeks. She expressed her concerns with the pigeon droppings that are also known to harbor a variety of diseases and parasites, and large accumulations may present a human health hazard. The Strata Council is looking into it and will report through the Council meeting minutes

New property manager

Anca Ciobanu has been recently assigned as a new Property Manager for Citygate 1. She can be reached at 604-635 5063 and her e-mail address is aciobanu@gatewaypm.com .Sylvia Hoogstins will be working closely with Anca to ensure a smooth transition.

New caretakers

Owners are advised, effective July 1, 2010 Strata Corporation welcome Zoran and Zdravka Krezic, new Resident Managers. Resident Manager's hours are Tuesday to Saturday, 8:00 am -5:00 p.m. (lunch 12 to 1pm)

For any building emergencies during business hours, please call the Resident Manager at 604-681 5316. After hours and weekend emergencies must be reported to Gateway Property Management at **604 777- 3890.**

A special thank you has been offered to Silvia Hoogstins who has contributed to the building with her knowledge and guidance.

There being no further business, the meeting was terminated at 9:15 p.m.

Please retain at least 24 months of Strata Council and General Meeting minutes. Should you decide to sell or remortgage your suite, these minutes will be required by the potential purchaser or lending institute. The Property Management company has copies of the minutes however there would be a charge for obtaining a copy of the minutes.

Gateway Property Management Corporation - Main Switchboard	(604) 635-5000
400-11950-80th Avenue	Fax (604) 635-5001
Delta, B.C.	Property Manager (604) 635-5063
V4C 1Y2	Administrative Assistant(604) 635-5050

Property Manager:

Anca Ciobanu

aciobanu@gatewaypm.com

Assistant:

Jesse Sulaiman

jsulaiman@gatewaypm.com

24 Hour Emergency: (604) 777- 3890