



**PACIFICA
STRATA PLAN LMS 597**

**ANNUAL GENERAL MEETING MINUTES
MONDAY, NOVEMBER 19, 2012 AT 7:00 PM**

MANAGEMENT PRESENT:

**Michael Henson, Vice President Operations
Pacific Quorum Properties Inc.
mhenson@pacificquorum.com / direct line: 604-638-1968**

1. CALL TO ORDER

The Strata Council President, Russell Ball, called the meeting to order at 7:10 p.m., welcomed the Owners and introduced the Strata Council members and the Property Manager.

2. MEETING PROCEDURES

The Property Manager confirmed that the 206 eligible strata lots were represented by 106 Owners, 42 in person and 64 by proxy; as the 1/3 quorum requirement was achieved, the Property Manager advised that the meeting was competent to proceed. There were 100 residential strata lots represented and 6 non-residential strata lots represented. Subsequently five (5) residential owners arrived and registered late.

The Chair confirmed that the proxies received were all dated and signed and available for inspection. The Chair confirmed that the Notice of Meeting was mailed to all Owners pursuant to the requirements of the Strata Property Act.

It was

MOVED by strata lot 206 **and SECONDED** by strata lot 152

To confirm the quorum report, confirm the Proof of Notice and to confirm the certification of the proxies.

CARRIED

3. ADOPTION OF PREVIOUS GENERAL MEETING MINUTES

It was

MOVED by strata lot 166 **and SECONDED** by strata lot 152

To adopt the minutes of the August 13, 2012 Special General Meeting.

CARRIED

4. **PRESIDENT’S REMARKS**

The Chair noted that the President’s Report was included with the Annual General Meeting package and briefly reviewed its highlights. Before calling on committee chairs to summarize their reports, he also reminded owners that remarks they planned to make on any topic should be kept within a two-minute time limit.

5. **COMMITTEE REPORTS**

A. **Landscape Committee**

The Landscape Committee report was included with the Annual General Meeting package. Judy Shinnick thanked all committee members and volunteers for their help during the year. The Chair noted that Judy was retiring from the Landscape Committee and extended his thanks on behalf of all of the owners at Pacifica – the owners responded with a warm round of applause.

Another owner also thanked Judy and the Committee for their dedication and commitment – the owners applauded again.

B. **Security Committee**

The Security Committee report was included with the Annual General Meeting package. John Shinnick thanked all committee volunteers and briefly reviewed the highlights of the report. He expressed gratitude for an owner’s help in undertaking a comprehensive inventory of common-area doors, the first one of these done in a decade. John also explained that he and another volunteer are developing, for Council’s review, a security-hardware package that would further ‘harden’ suite-entry doors against break-ins. In answer to questions, he and the Chair clarified that this package would be an option for owners wishing to make their suites more secure. In this context, an owner later suggested that a deadbolt be included in any optional suite-door upgrade package. Lastly, John reviewed a recent break-in and reminded residents not to “buzz” anyone into the building whom they do not know.

Several topics were raised in the ensuing discussion. A suggestion was made to eliminate the “buzz-in” feature of the enterphone but this was rejected as impractical: owners must take responsibility for monitoring whom they allow into the building. There was a suggestion that realtors holding open houses should always have someone in attendance in the lobby to escort potential purchasers to the suite. Several comments were made about the importance of being vigilant in the parkade and to always stop and wait for the garage gate to close behind you. There was a suggestion to shorten the garage gate opening time.

C. **Interior Committee**

The Interior Committee report was included with the Annual General Meeting package. Monica Drake briefly reported on the highlights of the report and noted that the committee had not prepared a visual presentation for this meeting as all of the information was on the Pacifica website and had been thoroughly discussed at previous meetings.

6. INSURANCE REPORT

The Property Manager provided an overview of the Corporation’s insurance coverage explaining areas covered, limits of coverage, and deductibles. The Property Manager noted that the increase in annual premium was due to the increase in the insurance appraisal for replacement value (6%) and a small (1%) increase in premium rates. All owners were provided a copy of the current insurance certificate with the notice of this AGM. The Property Manager encouraged owners to have this document in hand when they seek their own insurance coverage. He also said that Coastal/Hub Insurance Services, which provides the master policy for the strata, is able to provide personal insurance coverage to strata homeowners on very competitive terms.

NOTICE

Owners may be responsible for the Strata’s insurance deductible in the event of a claim which emanates from within the owner’s unit. The amount of the water damage deductible is currently \$ 15,000 – be certain that you have personal coverage for this amount together with personal coverage for your contents and belongings, liability and any betterment and improvements completed in the suite.

7. 3/4 VOTE RESOLUTION # 2012D – AFFIRMATION OF EXISTING BYLAWS

RATIONALE:

In a “sectioned” strata any bylaw amendments must be conducted via separate votes of each section. The Pacifica’s bylaw amendments over the years were not voted on in accordance with these rules, placing their enforceability at issue. Reaffirming our existing bylaws via proper procedure will begin to bring Pacifica in compliance with the law and ensure that our bylaws are legally enforceable. This is a simple procedural matter that does not open up the bylaws for discussion, revision or amendment.

WHEREAS:

- A. *at the general meetings of The Owners, Strata Plan LMS 597 (the “Strata Corporation”), the owners approved, by way of 3/4 vote resolutions, certain amendments to the Strata Corporation’s bylaws as follows (collectively the “Bylaw Amendments”):*

<i>Date</i>	<i>Land Title Office Filing Reference</i>
<i>November 13, 2001</i>	<i>BR345292, filed December 21, 2001</i>
<i>September 16, 2003</i>	<i>BV442262, filed October 27, 2003</i>
<i>September 21, 2004</i>	<i>Approved but not filed or registered</i>
<i>October 21, 2008</i>	<i>BB736924, filed December 3, 2008</i>
<i>October 20, 2009</i>	<i>BB1227918, filed November 23, 2009</i>
<i>October 19, 2010</i>	<i>BB1738080, filed January 18, 2011</i>
<i>November 30, 2011</i>	<i>BB4039027, filed February 29, 2012</i>

- B.** Section 128(1)(c) of the **Strata Property Act** (the “**SPA**”) provides that any amendments to the bylaws of a strata corporation that consists of both residential strata lots and non-residential strata lots must be approved by both a 3/4 vote resolution of the residential strata lots and a 3/4 vote resolution of the non-residential strata lots;
- C.** the owners of the residential strata lots and the non-residential strata lots would like to affirm the adoption of the Bylaw Amendments set out in the attached Consolidated Set (updated Dec. 2011);

BE IT RESOLVED by a 3/4 vote resolution of the Residential Strata Lots of the Strata Corporation that:

- (a) the bylaws of the Strata Corporation be amended by the adoption of the bylaws set out in the Bylaw Amendments listed in the attached Consolidated Set (updated Dec. 2011); and

BE IT RESOLVED by a 3 /4 vote resolution of the Non-Residential Strata Lots (Lots 9-13, 19-23, 63-67, 138-140), of the Strata Corporation that:

- (a) the bylaws of the Strata Corporation be amended by the adoption of the bylaws set out in the attached Consolidated Set (updated Dec. 2011).

END OF RESOLUTION 2012D

NOTE: The Bylaws of the Strata Corporation also include the bylaws filed by the developer on October 28, 1992 under Land Title Office No. BF414587. In addition, the Standard Bylaws in the **Strata Property Act** also apply to the Strata Corporation except where the Strata Corporation has adopted bylaws that effectively replace the relevant Standard Bylaws and such adopted bylaws do not conflict with the **Strata Property Act**, the **Strata Property Regulation** and other applicable laws.

It was:

MOVED by strata lot 152 **and SECONDED** by strata lot 166

For the residential strata lots to approve resolution #2012D.

CARRIED

It was:

MOVED by strata lot 19 **and SECONDED** by strata lot 67

For the non-residential strata lots to approve resolution #2012D.

CARRIED

8. 3/4 VOTE RESOLUTION #2011E (\$ 30,491 Special Levy for Operating Deficit)***RATIONALE:***

As with all budgets some expense allocations were over budget and some were under budget – the net result was a \$30,491 deficit. The main items that were over budget and contributed to the deficit were as follows: increased utility costs (\$11,041); increased security costs – new door controllers and installation of new astragals to prevent break-ins – (\$6,808); additional legal expenses (\$4,612); more general repairs and maintenance than anticipated (\$3,976); unanticipated repairs and upgrades to the fire safety system resulting from the annual inspection (\$3,675).

WHEREAS:

- A. *the Strata Corporation experienced a deficit of \$30,491 for the fiscal year ending September 30, 2012.*
- B. *the Strata Corporation wishes to fund the cost of the deficit by way of a special levy in the maximum amount of \$30,491 to be approved herein (the “**Operating Deficit Special Levy**”); and*
- C. *pursuant to section 108 of the **Strata Property Act** (the “**SPA**”), a Strata Corporation requires the approval of the owners by way of a 3/4 vote resolution to impose a special levy on the strata lots.*

BE IT RESOLVED by a 3/4 vote resolution of the Strata Corporation that:

- (a) *pursuant to Section 108 of the SPA, the Strata Corporation be and is hereby authorized to impose the Operating Deficit Special Levy (being the aggregate sum of \$30,491) on the strata lots comprising the Strata Corporation in proportion to unit entitlement of each strata lot and in amounts shown opposite each strata lot in Schedule 1A (attached hereto and forming part of this resolution),*
- (b) *each strata lot’s share of the Operating Deficit Special Levy is due and payable immediately on the passage of this resolution. For the convenience of owners, owners may pay their strata lot’s share of the Operating Deficit Special Levy by February 1, 2013 in accordance with Schedule 1A.*
- (c) *The special levy funds shall be contributed to the Operating Fund as repayment of the 2011/2012 Operating Deficit.*

END OF RESOLUTION 2012E

Note: *In the event that an owner fails to pay the special levy by the due date, the Strata Council may proceed to take any available steps to collect the arrears, including the filing of a lien against the property and commencing proceedings in BC Supreme Court to sell the strata lot under sections 116 and 117 of the **Strata Property Act**.*

It was

MOVED by strata lot 4 **and SECONDED** by strata lot 205

To approve resolution # 2012E

CARRIED

9. 3/4 VOTE RESOLUTION #2011F (\$ 533,000 Special Levy for Corridor Renovations)

WHEREAS:

- A. *the Residential Section of The Owners, Strata Plan LMS 597 (the “Residential Section”) wishes to undertake certain interior renovation work in the common areas of the building known as The Pacifica related to the residential strata lots as per the design specifications provided by Insight Design Group (the “Corridor Renovation Work”) for the maximum amount of \$533,000;*
- B. *the Residential Section wishes to fund the cost of the Corridor Renovation Work by way of a special levy in the maximum amount of \$533,000 to be approved herein (the “Corridor Renovation Work Special Levy”); and*
- C. *pursuant to section 108 and 194 of the Strata Property Act (the “SPA”), a section requires the approval of the owners by way of a 3/4 vote resolution to impose a special levy on the strata lots within the section.*

BE IT RESOLVED by a 3/4 vote resolution of the Residential Section that:

- (a) *pursuant to Sections 108 and 194 of the SPA, the Residential Section be and hereby is authorized to impose the Corridor Renovation Work Special Levy on the strata lots comprising the Residential Section in proportion to unit entitlement of each strata lot and in amounts shown opposite each strata lot in Schedule 1A (attached hereto and forming part of this resolution), the aggregate sum of \$533,000 of the payment for estimated costs associated with proceeding with Corridor Renovation Work;*
- (b) *each strata lot’s share of the Corridor Renovation Work Special Levy is due and payable immediately on the passage of this resolution. For the convenience of owners, owners may pay their strata lot’s share of the Corridor Renovation Work Special Levy in installments in accordance with Schedule 1A.*
- (c) *pursuant to section 96 of the SPA, the Strata Corporation be and hereby is authorized to expend from the Contingency Reserve Fund (“CRF”) an amount not exceeding \$200,000 to pay for expenses associated with the Corridor Renovation Work. Any amounts expended from the CRF for the Corridor Renovation Work will be repaid to the CRF from the Corridor Renovation Work Special Levy.*

END OF RESOLUTION #2012F

Note: *In the event that an owner fails to pay the special levy by the due date, the Strata Council may proceed to take any available steps to collect the arrears, including the filing of a lien against the property and commencing proceedings in BC Supreme Court to sell the strata lot under sections 116 and 117 of the Strata Property Act.*

It was

MOVED by strata lot 178 **and SECONDED** by strata lot 166
To approve resolution # 2012F

The Chair opened the floor for discussion during which the following topics came up:

- the scope of the corridor renovation work
- the effect of approving the corridor renovation on the budget options
- the type of hardware for the new suite doors in Cityhomes
- discussion of the special assessment
- review of some of the specifications

It was

MOVED by strata lot 59 **and SECONDED** by strata lot 115
To reduce the Special Assessment from \$ 533,000 to \$ 501,191 by deleting “Smoothing of textured ceiling in corridors”

DEFEATED

6 in favour

97 opposed

1 abstention

- the timing of the project
- potential savings to the project budget from removal of the Harmonized Sales Tax (HST) and how any savings would be rebated to owners
- responsibility for project oversight

It was

MOVED by strata lot 59 **and SECONDED** by strata lot 85
To reduce the Special Assessment from \$ 533,000 to \$ 477,771 by deleting “Corridor lighting & installation”

DEFEATED

6 in favour

99 opposed

The owners then voted on the original motion to approve Resolution # 2012F

CARRIED

92 in favour

4 opposed

1 abstention

10. 3/4 VOTE RESOLUTION #2011G (\$ 349,000 Special Levy for Lobby Renovations)

WHEREAS:

- A. *at this general meeting of The Owners, Strata Plan LMS 597 the owners of the strata lots comprising the Residential Section approved **3/4 Vote Resolution #2012E (Approval of Corridor Renovation Work and Funding of Same by Special Levy)**, which resolution provided for the raising of a total of **\$533,000** by way of the Corridor Renovation Work Special Levy to undertake certain interior renovation work at the building known as The Pacifica;*
- B. *the estimated cost of undertaking the following additional work is **\$349,000**: renovation of the lobbies and passenger elevators in Northgate, Maingate, Cityhomes, and Southgate as per the design specifications provided by Insight Design Group (the “**Lobby Renovation Work**”); and*
- C. *pursuant to section 108 and 194 of the **Strata Property Act** (the “**SPA**”), a section requires the approval of the owners by way of a 3/4 vote resolution to impose a special levy on the strata lots within the section.*

BE IT RESOLVED by a 3/4 vote resolution of the Residential Section that:

- (a) *pursuant to Sections 108 and 194 of the SPA, the Residential Section be and hereby is authorized to impose a special levy on the strata lots comprising the Residential Section in proportion to unit entitlement of each strata lot and in amounts shown opposite each strata lot in the attached schedule, the aggregate sum of **\$349,000** (the “**Lobby Renovation Work Special Levy**”) of the payment for estimated costs associated with proceeding with Lobby Renovation Work;*
- (b) *the funds raised by way of the Lobby Renovation Work Special Levy will be added to and become part of the Corridor Renovation Work Special Levy; and*
- (c) *each strata lot’s share of the Lobby Renovation Work Special Levy is due and payable immediately on the passage of this resolution. For the convenience of owners, owners may pay their strata lot’s share of the Lobby Renovation Work Special Levy in installments in accordance with Schedule 1A.*

END OF RESOLUTION #2012G

Note: *In the event that an owner fails to pay the special levy by the due date, the Strata Council may proceed to take any available steps to collect the arrears, including the filing of a lien against the property and commencing proceedings in BC Supreme Court to sell the strata lot under sections 116 and 117 of the **Strata Property Act**.*

It was

MOVED by strata lot 166 **and SECONDED** by strata lot 205

To approve resolution # 2012G

Discussion ensued on the following aspects of the lobby renovation work:

- Debate about whether renovating 1990s lobbies could ever produce a 21st-century look, given the presence of lobby-level suites
- pros and cons of updating elevator interiors now, when aging mechanical equipment itself might need replacement soon
- Comments on the benefits of completing the lobby renovations in conjunction with the corridor renovations
- the proposed pedimats might not be not large enough to protect flooring in the lobbies and hallways from owners tracking in dirt on bicycle wheels, shopping carts and baby strollers
- a plea for all residents to treat all common property the same as they would treat their suite; mind your manners, folks!
- confirmation that work to assess options for wheelchair access for Southgate was included in the Capital Plan for this year, not in the lobby renovation budget
- a suggestion to have fob access installed in the elevators so that the security system could be programmed for the elevator to only go to each owner's designated floor; (the massive investment this would require was not included in the lobby renovations project nor in the Capital Plan)

The owners then voted on the original motion to approve Resolution # 2012G

CARRIED

77 in favour

23 opposed

1 abstention

11. 2012 / 2013 OPERATING BUDGET

The Property Manager and the Treasurer presented the 2012 / 2013 Operating Budget to the Owners. Various income and expense allocations were explained and reviewed. The Chair, the Property Manager and the Treasurer responded to comments from the Owners:

- Approval of the special levy for corridor renovations made it unnecessary to increase the operating budget dramatically; therefore, the budget being considered would involve a 1.3% increase in monthly strata fees
- Questions regarding the impact of the HST removal on the Operating Budget:
- A suggestion to make an allowance for cleaning the Guest Suite carpets:
- Review of dryer vent cleaning and confirmation that the cleaning was scheduled for the Spring (every two years – last done in 2011)

- Discussion of Contingency Reserve Fund balance and annual contribution of \$ 135,000

It was:

MOVED by strata lot 178 **and SECONDED** by strata lot 152

To adopt the 2012 / 2013 Operating Budget as presented.

CARRIED

12. CAPITAL PLAN – 3/4 VOTE RESOLUTION #2012H (\$167,000 CRF WITHDRAWAL)

The Property Manager and the Treasurer reviewed the Capital Plan and provided an explanation of the various allocations, noting the contemplated capital funding and expenditures for the next year.

WHEREAS:

- the Strata Corporation has identified in the Capital Plan several common expenses that usually occur less often than once a year or that do not usually occur,*
- the Strata Corporation wishes to fund the cost of the expenses by way of a withdrawal in the maximum amount of \$167,000 from the Contingency Reserve Fund (“CRF”); and*
- pursuant to Section 96 of the Strata Property Act (the “SPA”), a Strata Corporation requires the approval of the owners by way of a 3/4 vote resolution to spend money from the CRF.*

BE IT RESOLVED by a 3/4 vote resolution of the Strata Corporation that:

- pursuant to Section 96 of the SPA, the Owners of Strata Plan LMS 597 approve expenditures in the amount of \$167,000, for the purpose of completing the 2012/2013 expenditures identified in the Capital Plan;*
- The funds required for this expenditure will be raised by a withdrawal of \$167,000 from the CRF.*

END OF RESOLUTION #2012H

It was

MOVED by strata lot 166 **and SECONDED** by strata lot 152

To approve resolution # 2012H

There followed discussion on the following topics:

- review of the Capital Plan allocations for 2012/2013
- a suggestion to update the exterior with new paint colours when it is time to paint and a related suggestion to retain a colour consultant for that purpose at the appropriate time
- discussion of the replacement of the fireplace vents

- discussion of the Depreciation Report – Strata Council reported that there are quotes on hand and that the Depreciation Report would likely be completed by the end of June

The owners then voted on the original motion to approve Resolution # 2012H

CARRIED

13. NEW BUSINESS

- One owner suggested that the new Strata Council consider employing a facilities maintenance manager to liaise and co-ordinate with the council members. The Chair suggested that the owner present a written proposal to the new Strata Council.
- One owner suggested that the curb appeal of the commercial units should be addressed by the new Strata Council; better communication regarding maintenance issues that affect the owners; the development of a 3 year landscaping plan to be presented to the Owners at the next AGM.
- The Chair confirmed that the monthly financial statements would be included with the monthly Strata Council minutes.
- One owner requested that the Strata Council consider all correspondence at their monthly meetings and not postpone discussion of correspondence.
- One owner questioned the possibility of installing a central hot water system – the Property Manager explained that this would likely be cost prohibitive due to the required piping for delivery of the hot water to the suites.
- The Chair confirmed that the renovation would likely start mid-year.
- One owner suggested that the pet bylaw be revisited and revised.
- One owner wondered whether the 2010 Maintenance Report would be updated – the Chair advised that the new Depreciation Report would update the status of all building assets – both interior and exterior.

14. ELECTION OF STRATA COUNCIL

The Property Manager thanked the resigning Strata Council members for their service to the strata over the past year – the owners responded with a warm round of applause. The Property Manager presented the Owners with a brief overview of the Strata Council. The floor was opened for nominations for the 2012 / 2013 Strata Council and seven candidates were nominated for the seven available positions. Departing Strata Council President Russell Ball declined to be nominated due to scheduling conflicts in the coming year but expressed his interest in re-joining the Council in the future. The following owners were nominated:

Philippe Arrata (incumbent)
Daria Batkin (incumbent)
Paolo Ciocca (incumbent)
Monica Drake (incumbent)
Martin Jonsson (new owner)
John Shinnick (incumbent)
Con Verburg (incumbent)

It was:

MOVED by strata lot 7 **and SECONDED** by strata lot 111

To close the floor to further nominations and to elect those nominated by acclamation.

CARRIED

The owners welcomed the new Strata Council members with a warm round of applause.

15 ADJOURNMENT

The meeting was adjourned at 10:15 pm.

OPTIONS FOR PAYING SPECIAL LEVIES

Strata Council would be very grateful for any owners able to pay their interior renovation special levies via lump sum or otherwise earlier than scheduled. Although the February to November 2013 schedule of ten payments remains an option for all owners, collecting the funds sooner will allow Pacifica to initiate the renovation as soon as possible. Early accumulation of funds would allow for Pacifica to put down deposits on materials and labour, schedule busy contractors well in advance, and order long lead-time items such as carpet and tiles. Please contact Michael Henson at Pacific Quorum if you would like to contribute your special levy earlier than scheduled.

Please Note: The Real Estate Regulations require a vendor to provide purchasers with copies of Strata Council and Corporation Meeting minutes. Please retain these minutes for your records. Replacement copies will be subject to a cost per page and can be received upon a seven (7) day advance order from *Pacific Quorum Properties Inc.*

Pacifica AGM 2012 Highlights

Prepared by Council & Posted on Bulletin Boards - 21 November 2012

- More than 100 owners participated in person or by proxy, including six commercial owners
- Resolution reaffirming existing bylaws adopted by vote of residential owners and of commercial owners
- Special levy of \$30,500 to cover budget shortfall approved
- Special levy of \$533,000 for Corridor renovation approved by 96% (92 in favour, 4 opposed, 1 abstention)
- Special levy of \$349,000 for Lobbies/Elevators renovation approved by 76% (77 in favour, 23 opposed, 1 abstention)
- Operating budget for 2012/2013 with 1.3% increase in monthly fees approved
- Proposed capital plan funding by withdrawal of \$167,000 from Contingency Reserve Fund approved unanimously
- All incumbent Council members except Russell Ball agreed to be renominated and were elected by acclamation; one new owner volunteered to join Council. The 2012/2013 Strata Council is comprised of:
 - Phil Arrata (incumbent), Promenade Mews
 - Daria Batkin (incumbent), Southgate
 - Paolo Ciocca (incumbent), Cityhomes
 - Monica Drake (incumbent), Northgate
 - Martin Jonsson, Promenade Mews
 - John Shinnick (incumbent), Northgate
 - Con Verburg (incumbent), Southgate
- Full details of the meeting, including the approved monthly fees and the special levy schedules, will be circulated to owners by Pacific Quorum

ACTUAL RENOVATION WORK ANTICIPATED TO BEGIN SUMMER 2013

*The outgoing Strata Council and the Property Manager
thank all owners who took time to participate
in the governance of our shared strata.*

*The incoming Strata Council looks forward
to ongoing participation from owners
in the collective effort to manage this community.*