

**MINUTES OF SPECIAL GENERAL MEETING**  
**STRATA PLAN BCS 3437**  
**ESPANA**

**HELD**

On Monday, December 14, 2009 at 7:00 PM at Amenity Room, 689 Abbott Street, Vancouver, B.C.

**PRESENT**

70 votes in person and 94 votes by proxy, as per the registration sheet.

Strata council:

Stephen Yan, President, chaired the Special General Meeting  
Brenda Lee  
Patricia Glass counted the votes  
Vivian Chi recorded the minutes  
Zahir Amlani counted the votes  
\* Dan Isaak and Guy Mattar could not attend the meeting

Additional guests:

Carmen To representing Henderson Development  
Pedro Ho representing Henderson Development

**STRATA AGENT**

Ivan Lee, Crosby Property Management Ltd., was not present as requested by the strata council.

**QUORUM REPORT**

At 7:33 PM, a quorum was reached and the meeting was called to order.

**PROOF OF NOTICE**

It was moved by owner of C222, seconded by owner of B3102 and carried to accept the notice dated November 19, 2009 as proper Notice of Meeting.

**APPROVAL OF MEETING PLACE**

It was moved by owner of B2805, seconded by owner of B1901 and carried to accept Amenity Room, 689 Abbott Street, Vancouver as proper meeting place for this rescheduled Special General Meeting.

**MINUTES**

This pertains to the minutes of the November 9, 2009 Annual General Meeting which was chaired by Ivan Lee of Crosby Property Management Ltd.

1. As per the minutes of the November 9, 2009 Annual General Meeting, p. 7 section *Failure to approve budget* states "An owner took the floor and presented his views on the budget and encouraged owners not to approve the proposed budget presented..." It was moved by owner of C708, seconded by owner of B1103 and carried to replace the paragraph with "No vote was initiated or taken by the chairperson of the meeting."
2. As per the minutes of the November 9, 2009 Annual General Meeting, p. 8 section 8.1.4 states "The executive of each separate section shall be elected by the owners..." It was

moved by owner of A808, seconded by owner of B2202 and carried to agree that the aforementioned paragraph was not properly explained by the chairperson and therefore the executives were not properly voted for.

3. As per the minutes of the November 9, 2009 Annual General Meeting, p. 5 section *Warranty Exclusions* point 11 states "...or as required by St. Paul Guarantee." Brenda Lee of Henderson Development indicates that this is an error; it should be National Home Warranty.

### **2009/2010 BUDGET (YEAR-END NOVEMBER 30<sup>TH</sup>)**

The 2009/2010 budget was presented to the owners for a detailed review and analysis. It was noted that there is a minor decrease in strata fees.

It was moved by owner of B2805, seconded by owner of B3503 to place the budget on the floor for discussion.

Following discussion, a vote was taken and it was **carried** by a majority of the vote (121 voted in favor, 41 opposed and 2 abstained).

### **¾ VOTE RESOLUTIONS**

The following ¾ vote resolutions were presented to the owners for their consideration:

#### **¾ VOTE RESOLUTION #A TERMINATION OF MANAGEMENT SERVICES CONTRACT**

**BE IT RESOLVED THAT** the Strata Corporation, BCS 3437, be and is authorized to cancel the current management services contract with Crosby Property Management Ltd. by giving the required two (2) months notice to this effect as set out in section 39(1) of the *Strata Property Act*.

It was moved by owner of A3501, seconded by owner of B805 to excuse all Henderson representatives from the discussion. The representatives complied.

It was then moved by owner of B1103, seconded by owner of B3503 to place the resolution on the floor for discussion.

Following discussion, Henderson representatives were asked to return to the meeting to vote but they refused. A vote was then taken and ¾ Vote Resolution #A – Termination of Management Services Contract was **carried** by more than 75% of the vote (145 voted in favor, 10 opposed and 9 abstained).

#### **¾ VOTE RESOLUTION #B RESIDENT VISITORS PARKING**

**BE IT RESOLVED THAT** the visitor parking stalls on the Strata property be converted to public pay parking.

It was moved by owner of A1208, seconded by owner of B1103 to place the resolution on the floor for discussion.

Following discussion, a vote was taken and ¾ Vote Resolution #B – Resident Visitors Parking was **carried** (120 voted in favor, 14 opposed and 30 abstained).

**¾ VOTE RESOLUTION #C  
BYLAW ADDITION – 9.1.4**

**BE IT RESOLVED THAT** the Strata Corporation, BCS 3437, add the following bylaw 9.1.4:

9.1 Person to Chair Meeting

9.1.4 If within ½ hour from the time appointed for an Annual or Special General Meeting, a quorum is not present, the eligible voters, present in person or by proxy, constitute a quorum.

It was moved by owner of B608, seconded by owner of B225 to place the resolution on the floor for discussion.

Following discussion, a vote was taken and ¾ Vote Resolution #C – Bylaw Addition 9.1.4 was **defeated** (94 voted in favor, 45 opposed and 25 abstained).

There being no further business, the Special General Meeting was adjourned at 10:15 PM.

*Signed by Orwa Chi*



Nov 20, 09

**STRATA PLAN BCS 3437  
ESPANA  
JOINT USE  
PROPOSED FIRST ANNUAL BUDGET  
EFFECTIVE DECEMBER 1, 2009**

Alarm Monitoring	\$3,000
Audit	315
Bank Charges	120
Building Envelope Inspection	20,000
Cleaning & Janitorial	22,500
Electricity	25,000
Fire Equipment Maintenance	12,500
Insurance/ Appraisal	175,000
Keefer Steps Maintenance	35,000
Landscape Maintenance	4,500
Legal Fees	1,000
Management Fees	87,598
Mechanical Equipment Maintenance	20,000
Miscellaneous	12,000
Repairs & Maintenance	25,000
Security Services	125,000
Security System Lease	53,500
Snow Removal	5,000
Steam Heat & Hot Water	480,000
Water & Sewer	96,000
Window Cleaning	36,000
Sub-total	<hr/> \$1,239,033
Contingency Reserve: 10%	123,903
Parking Revenue	<hr/> (92,402)
Total Budget	<hr/> <hr/> \$1,270,534

Note: Each Strata Lot's monthly contribution to the contingency reserve fund is calculated as follows:  
$$\frac{\text{unit entitlement of strata lot}}{\text{total unit entitlement of all strata lots}} \times \text{Contingency Reserve Fund Contributions}$$

*This is the budget voted in on Dec 14/2009 during SGA*



Nov 20, 09

**STRATA PLAN BCS 3437  
ESPANA  
RESIDENTIAL  
PROPOSED FIRST ANNUAL BUDGET  
EFFECTIVE DECEMBER 1, 2009**

Cleaning & Janitorial	\$135,000
Compactor Leases	11,000
Electricity	165,000
Elevator Maintenance	55,000
Garbage/Recycling	50,000
Landscape/Water Feature Maintenance	20,000
Mechanical Equipment Maintenance	8,000
Miscellaneous	12,000
Off Site Caretaker	55,000
Recreation Facilities/ Amenities	15,000
Repairs & Maintenance	50,000
Window Cleaning	5,000
Sub-total	<hr/> \$581,000
Contingency Reserve 10%	<hr/> 58,100
Total Budget	<hr/> <hr/> \$639,100

**Note: Each Strata Lot's monthly contribution to the contingency reserve fund is calculated as follows:**

<u>unit entitlement of strata lot</u>	x	Contingency Reserve Fund Contributions
total unit entitlement of all strata lots		

Nov 20, 09

**STRATA PLAN BCS 3437**  
**ESPANA**  
**COMMERCIAL**  
**PROPOSED FIRST ANNUAL BUDGET**  
**EFFECTIVE DECEMBER 1, 2009**

Electricity	\$6,500
Garbage/Recycling	5,000
HVAC Maintenance	7,500
Miscellaneous	2,500
Repairs & Maintenance	6,500
Sub-total	<hr/> \$28,000
Contingency Reserve: 10%	<hr/> 2,800
Total Budget	<hr/> <hr/> \$30,800

**Note: Each Strata Lot's monthly contribution to the contingency reserve fund is calculated as follows:**

unit entitlement of strata lot                      x    Contingency Reserve Fund Contributions  
total unit entitlement of all strata lots