

PARK WILSHIRE IMPROVEMENT ASSOCIATION

Minutes – 2004

<u>Code</u>	<u>Date</u>	<u>Form</u>	<u>Description</u>
A-04	1/21/04	Board Meeting	Approval of Minutes of 10/1 Board Meeting, Assignment of Responsibilities and Approval of Credit to Jaunell Waldo, Assignment of Responsibilities and Approval of Credit for Apprentices to Vice President of Membership.
B-04	3/03/04	Board Meeting	Planning Session for Annual Membership Meeting – No Substantive Action.
C-04	3/06/04	Annual Membership	Election of Directors.
D-04	3/17/04	Board Meeting	Appointment of Officers, Transfer of Responsibilities to New Board.
E-04	4/07/04	Board Meeting	Approval of Minutes of 12/3 and 1/21 Board Meetings, Authorization to Acquire Pool Furniture.
F-04	5/05/04	Board Meeting	Authorization to Organize Water Workout Class, Assignment of Responsibilities and Approval of Credit to Barbara Martinez, Establishment of Priority for Courses, Authorization to Secure Additional Lifeguards.
G-04	6/04/04	Board Meeting	Adoption of Incentive for Lifeguards to Clean Fecal Accidents, Approval of Two Lifeguards from Commencement of Opening Shift.
H-04	6/08/04	Board Meeting	Approval of Minutes of 5/5 and 6/4 Board Meetings.
I-04	7/07/04	Board Meeting	Approval of Minutes of 3/3, 4/7, and 6/8 Board Meetings, Approval of Repair of Damaged Posts and Footings, Approval of Planting and Irrigation of Arid Section of Facility, Approval of Lifeguard Guidelines.
J-04	8/05/04	Board Meeting	Approval of Changes in Lifeguard Guidelines and Permitted Activity and Related Recommendations.

K-04	9/15/04	Board Meeting	No substantive action.
L-04	10/06/04	Board Meeting	Approval of Minutes of 3/6 Annual Meeting of Members, Approval of Minutes of 3/17 and 7/7 Board Meetings, Approval of Increase in Dues and Fees for Proprietary and Associate Members.
M-04	11/03/04	Board Meeting	Approval of Minutes of 8/5 and 10/6 Board Meetings, Approval of Donation to Boy Scouts of America.

MINUTES OF MEETING
OF THE BOARD OF DIRECTORS OF
PARK WILSHIRE IMPROVEMENT ASSOCIATION

January 21, 2004

A meeting of the Board of Directors of Park Wilshire Improvement Association, a California non-profit membership corporation (the "Association"), was held on the above date at the home of Sally Van Der Way located at 2648 Park Wilshire Drive, San Jose, California, 95124, pursuant to notice duly given to all of the directors.

The following directors were present:

- Susie Fleming
- Bill Kaplan
- Shawnie Lauer
- Barry Mangan
- Jerry Reed
- Sally Van Der Wey
- Al Williams

The following director was not present: Nick Tsolis

Mr. Mangan called the meeting to order. Mr. Kaplan recorded the minutes.

- Approval of Board Minutes. Upon a motion duly made and seconded, the minutes of the meeting of the Board of Directors occurring on October 1, 2003 were unanimously approved.
- Budget. Ms. Fleming distributed an income statement and balance sheet, and provided an overview of the Associations current finances. A discussion followed.

Website. A discussion was held concerning the website and the interest of Association member Jaunell Waldo in assisting with the design and construction of the site. The Board considered and discussed the possibility of compensating the person ultimately selected for this task with one-half of a household swimming pool membership for a single season. The matter was tabled, pending further discussion.

- Apprenticeship. Ms. Van Der Wey led a discussion of possible means of recruiting volunteers to provide needed assistance to the Vice President of Membership and assist with swimming pool administration. Upon a motion duly made and seconded, the Board of Directors unanimously adopted the following resolutions:

RESOLVED, that a volunteer, upon the nomination of the Vice President of Membership and approval by the Board of Directors, may be offered a credit of one-half of a single household swimming pool membership for the 2004 season, in exchange for continuous services during the season in support

of the responsibilities and related activities of the Vice President of Membership, and at the direction of the Vice President of Membership.

RESOLVED FURTHER, that the officers of the Association, and each of them, is authorized and directed, for and on behalf of the Association, to take such action and execute such documents as they deem necessary or advisable in order to carry out and perform the purposes of the foregoing resolutions.

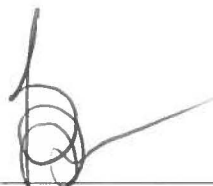
- Annual Membership Dues and Pool Fees. A lengthy discussion was held regarding the sufficiency of current reserves, potential means of increasing revenue, and ramifications of increases in dues and fees. A majority of the Board of Directors agreed that no action will be taken to increase the Association dues or swimming pool fees for the 2004 season.
- Annual Meeting of Members. Ms. Fleming led a discussion concerning planning for the Annual Meeting of Members scheduled for March 6, the content of the proxy, mailing, reservation of the venue, and related topics. Mr. Kaplan volunteered to compose a letter to the membership for the purpose of encouraging members to volunteer to serve the Association, as Board members and otherwise.
- Certificates of Membership. Mr. Mangan led a discussion regarding the necessity of distributing, and the content of, certificates of membership to Proprietary Members in good standing.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Bill Kaplan
Secretary



Barry Mangan
Chairman of the Meeting

MINUTES OF MEETING
OF THE BOARD OF DIRECTORS OF
PARK WILSHIRE IMPROVEMENT ASSOCIATION

March 3, 2004

A meeting of the Board of Directors of Park Wilshire Improvement Association, a California non-profit membership corporation (the "Association"), was held on the above date at the home of Barry Mangan Way located at 1842 Frobisher Way, San Jose, California, 95124, pursuant to notice duly given to all of the directors.

The following directors were present:

- Susie Fleming
- Bill Kaplan
- Shawnie Lauer
- Barry Mangan
- Nick Tsolis
- Sally Van Der Wey
- Al Williams

The following director was not present: Jerry Reed

Mr. Mangan called the meeting to order. Mr. Kaplan recorded the minutes.

- Bathroom Installation. Mr. Tsolis provided an update on the new bathroom enclosures. A discussion followed concerning the enclosures, the disposal of the old building material, the installation of shelves and fixtures in the bathrooms, and various finish work that remains to be performed.
- Annual Meeting. Ms. Fleming led a broad discussion and planning session concerning the administration of the annual meeting and reviewed proposed forms for tallying votes and counting ballots and proxies.
- Certificates of Membership. Mr. Mangan led a discussion regarding the content of certificates of membership to be provided Proprietary Members in good standing.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Bill Kaplan
Secretary



Barry Mangan
Chairman of the Meeting

MINUTES OF
ANNUAL MEMBERSHIP MEETING OF
PARK WILSHIRE IMPROVEMENT ASSOCIATION

March 6, 2004

A meeting of the members of Park Wilshire Improvement Association, a California non-profit corporation (the "Association"), was held on the above date at Bagby Elementary School, 1840 Harris Avenue, San Jose, California, 95124, pursuant to notice duly given. A copy of the notice and accompanying cover page of the report of the treasurer are attached hereto as Exhibit A.

The following directors were present:

Susie Fleming
Bill Kaplan
Shawnie Lauer
Barry Mangan
Nick Tsolis
Sally Van Der Wey
Al Williams

The following director was not present: Jerry Reed

The Association's president, Barry Mangan, served as Chairman of the meeting. Mr. Kaplan recorded the minutes.

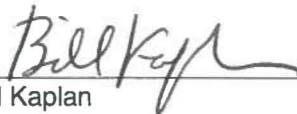
- Introductions and General Discussion. Mr. Mangan introduced the current Board and officers in attendance to the members and reviewed the various work and expenditures undertaken during the past year.
- Swimming Pool. Mr. Mangan discussed the need for long range planning, the condition of the swimming pool, and the potential need and means of paying for repairs to the pool. Various questions concerning the pool and membership were posed by members, to which Mr. Mangan and Ms. Fleming responded.
- Succession Planning, Compensation & General Meeting. Mr. Mangan provided an overview of the current Board's plans and recommendations concerning apprenticeships and succession planning. Mr. Mangan invited members to run for director and explained the complementary memberships presently used to compensate directors and to compensate others for substantial time devoted to helping the Association.
- Website. Mr. McKay provided an update on work undertaken and accomplished relative to the Association website over the past year.

- Nominations. Mr. Mangan reminded the members that all seats on the Association's Board of Directors are open for election and invited the members to present nominations for members of the Board. The following nominations were made and seconded.
- Voting. Mr. Mangan requested volunteers to supervise the counting of ballots and proxies. Association member Chris Knox volunteered. Mr. Mangan reminded members that the seven nominees receiving the most votes would constitute the Association's Board of Directors. Mr. Mangan reviewed the process for voting and invited questions. No questions were asked about the process. The polls were opened. Following the collection of all ballots and proxies the polls were closed. Results were as follows.

<u>Nominee</u>	<u>Votes Received</u>	
Sally Van Der Wey	80	} <u>Elected to Board</u>
Susie Fleming	79	
Barry Mangan	78	
Nick Tsolis	75	
Bill Kaplan	73	
Al Williams	58	
Brad McKay	51	
Shawnie Lauer	50	
Joe Medoro	11	
Barbara Martinez	9	

There being no further business, the meeting was adjourned.

Respectfully submitted,


 Bill Kaplan
 Secretary


 Barry Mangan
 Chairman of the Meeting

Park Wilshire Improvement Association (PWIA)
2575 Park Wilshire Drive
San Jose, CA 95124

Exhibit A

Annual Meeting

Saturday, March 6, 2004, 10:00 AM
Bagby School Cafeteria

Dear PWIA Member,

This letter is your official notification of the PWIA Annual Meeting to elect a new Board of Directors for 2004. Mark your calendar and join us!

The agenda will cover the 2003 season in review, election of new board members, any new business needing to be addressed, and your comments and ideas, as always.

Although some of the current board members have expressed interest in staying on the board another year, all positions are open for election. If you have any questions about the responsibilities of the board positions, please call one of the 2003 Board of Directors listed below:

President	Barry Mangan	265-9530
VP, Membership	Sally Van der Wey	269-7427
Secretary	Bill Kaplan	448-7436
Treasurer	Susie Fleming	267-1161
Director, Lifeguard Admin.	Al Williams	267-8741
Director, Operations	Jerry Reed	978-1223
Co-Directors of	Nick Tsolis (Parties/Events)	978-1719
Communications	Shawnie Lauer (Newsletter/Web)	267-8468

For those of you who cannot attend the Annual Meeting, please mail the Proxy Form below to the PWIA or drop it off in the PWIA mail box at the pool, to be received on or before Friday, March 5, 2004. By signing the form, you may name any member in good standing, whom you are sure will attend the meeting, to vote in your absence. You may also give your proxy to a board member who represents your views. Use of the proxy helps to assure we have a quorum necessary to support a vote according to our bylaws. Thank you!

Park Wilshire Improvement Association (PWIA)
2575 Park Wilshire Drive
San Jose, CA 95124

PROXY VOTE AUTHORIZATION
(Please print and fill out form completely)

I authorize (member name & address) _____

to represent (your name & address) _____

for the purpose of electing a new board of directors at the Annual Meeting, Saturday, March 6, 2004, or at any subsequent date at which the meeting must be reconvened.

Your Signature

Date

Park Wilshire Improvement Association, Inc.

Treasurer's Report

February 9, 2004

Dear Park Wilshire Association Member,

Enclosed are the following financial statements for your information prior to the annual meeting on Saturday, March 6, 2004:

1. For the current fiscal year: April 2003 - March 2004
 - Balance Sheet (As of January 31, 2004)
 - Profit & Loss Budget vs. Actual - Summary (April 2003 through January 2004)
 - Profit & Loss Budget vs. Actual - Detail (April 2003 through January 2004)
2. For the next fiscal year: April 2004 - March 2005:
 - Profit & Loss Budget Overview - Summary (April 2004 through March 2005)
 - Profit & Loss Budget Overview - Detail (April 2004 through March 2005)

PWIA Proprietary Membership Dues & Swim Membership Fees

- PWIA Proprietary Membership Dues (\$87) will be billed on April 1st with payment due by April 30th.
- Swim Membership Fees for those households who were swim members last season will also be billed on April 1st, also with a due date of April 30th. This allows us to process the payments, order replacement membership cards, and activate or replace access keycards in a more timely manner prior to the official opening of the pool in May. (Please Note: Swim Membership requires that the PWIA Proprietary Membership Dues are current.)
- If resident dues from the prior year (those that were payable by April 30, 2003) are not paid by April 30th, 2004, the member household is no longer a member in good standing and will be permanently dropped from the rolls of the Association.

Susie Fleming
PWIA Treasurer

MINUTES OF MEETING
OF THE BOARD OF DIRECTORS OF
PARK WILSHIRE IMPROVEMENT ASSOCIATION

March 17, 2004

A meeting of the Board of Directors of Park Wilshire Improvement Association, a California non-profit corporation (the "Association"), was held on the above date at the Association's office located at 2575 Park Wilshire Drive, San Jose, California 95124, pursuant to notice duly given to all of the directors.

The following directors were present: Susie Fleming
Barry Mangan
Brad McKay
Nick Tsolis
Sally Van Der Wey
Al Williams

The following director was not present: Bill Kaplan

Also present was: Chris Knox
Shawnie Lauer

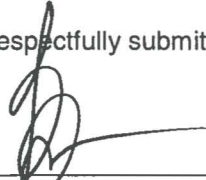
Mr. Mangan called the meeting to order and recorded the minutes.

- Results of Election. A discussion was held concerning the results of the election of the new Board of Directors at the Annual Membership Meeting held on March 6, 2004, including strengths and work preferences of the directors.
- Officers for 2004. Following a discussion, the Board of Directors appointed the following officers to serve in 2004.

President:	Barry Mangan
Vice President of Membership:	Sally Van Der Wey
Treasurer:	Susie Fleming
Secretary:	Bill Kaplan
Director of Lifeguard Administration:	Al Williams
Director of Communications:	Nick Tsolis
Director of Pool Operations:	Brad McKay

There being no further business, the meeting was adjourned.

Respectfully submitted,



Barry Mangan
Chairman of the Meeting
and Acting Secretary

MINUTES OF MEETING
OF THE BOARD OF DIRECTORS OF
PARK WILSHIRE IMPROVEMENT ASSOCIATION

April 7, 2004

A meeting of the Board of Directors of Park Wilshire Improvement Association, a California non-profit membership corporation (the "Association"), was held on the above date at the Association's office located at 2575 Park Wilshire Drive, San Jose, California 95124, pursuant to notice duly given to all of the directors.

The following directors were present:

- Susie Fleming
- Bill Kaplan
- Brad McKay
- Barry Mangan
- Nick Tsolis
- Sally Van Der Wey
- Al Williams

Also present was: Chris Knox

Mr. Mangan called the meeting to order. Mr. Kaplan recorded the minutes.

- Approval of Minutes. Upon a motion duly made and seconded, the minutes of the meetings of the Board of Directors occurring on December 3, 2003 and January 21, 2004 were unanimously approved.
- Non-resident Members. Ms Van Der Wey provided an update of the waiting list for non-resident members. A discussion followed concerning the posting of a banner to the effect that the Association is accepting non-resident families for the waiting list.

Action Item: Ms. Van Der Wey and Mr. McKay to agree upon wording, order, and post a sign as appropriate.

- Swimming Pool. A discussion was held concerning the propriety of starting the heater for the purpose of testing the equipment to insure equipment problems can be identified and repaired in time for a potential early opening of the pool. The Board of Directors agreed to start the equipment. A further discussion was held concerning the number of non-resident swim member families. The Board of Directors agreed to raise the number of non-resident swim member families by 15 for the 2004 season. The Board also agreed to clean up the pool facility during the upcoming week on an ad hoc basis.

- Lifeguards. A broad discussion was held regarding a variety of issues related to the lifeguards, management of the lifeguards, and access to the swimming pool.

Action Item: Mr. Williams to collect keys from lifeguards not returning from last season.

- Condition of Facility and Repairs. A discussion was held concerning the condition of the carpet in the clubhouse, repair of the restrooms, flushing of the swimming pool tanks, and repair of the underwater pool lights.

Action Item: Mr. McKay to obtain estimates for a new carpet, identified restroom repairs, flushing of the tanks, and repair of the underwater pool lights.

- Preparation and Opening of Pool. Following a lengthy discussion regarding equipment and timing issues, the Board of Directors agreed to turn on the swimming pool equipment as soon as possible and, barring any equipment issues, open the pool on April 17, 2004.

- Janitorial Service. A discussion was held concerning the maintenance of the facility.

Action Item: Mr. McKay to investigate the availability and costs of janitorial services.

- Membership. Ms. Fleming reported the current membership payments, arrearages, dropped memberships. A discussion followed.

- Ongoing Responsibilities of Officers. Ms. Fleming distributed the document attached to these minutes as Exhibit A. Following a discussion, each member of the Board of Directors agreed to accept, and to assign to Ms. Lauer, the responsibilities indicated on the document.

- Budget. Ms. Fleming distributed the draft 2004 budget to the Board of Directors. A discussion followed.

- Newsletter. A discussion was held concerning potential items for the next Association newsletter.

Action Item: Mr. Tsolis to inform Ms. Lauer of key items to be included in the next newsletter.

- Requests for Limited Access. A lengthy discussion was held concerning the requests made by various members of the Association for forms of limited access to the swimming pool facility, and related reductions in dues.

- New Pool Furniture. Following a lengthy discussion, and upon a motion duly made and seconded, the Board of Directors unanimously adopted the following resolutions.

WHEREAS, the Board of Directors has determined that it is in the best interests of the Association that new furniture for the deck area of the swimming pool be acquired;

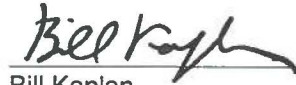
RESOLVED, that Association shall purchase approximately twenty new chaise lounges, four folding tables, ten folding chairs, and one umbrella base for a cost of approximately \$2,000.

RESOLVED FURTHER, that the officers of the Association, and each of them, is authorized and directed, for and on behalf of the Association, to take such action and execute such documents as

they deem necessary or advisable in order to carry out and perform the purposes of the foregoing resolution.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Bill Kaplan
Secretary



Barry Wangan
Chairman of the Meeting

Dear PWIA Board 2004,

April 7, 2004

The last three seasons ('01, '02, & '03) have been significantly task-driven beyond the scope of my treasurer responsibilities. For various (and good) reasons I willingly took on several administrative tasks belonging to other board functions that I now need to share and/or let go of. It isn't that I necessarily do these tasks entirely or exclusively, it's just that I seem to drive them (and I'd rather be a back seat driver ☺, you know, being available to give directions and help, when necessary). Thanks for your understanding and help with this. ~Susie

- Barry • Meetings (Calling them, emailing board members, reminding, etc.)
 - Barry • Agendas
 - Bill • Certificates of Membership (Create, Sign, Mail, etc.)
 - Shawnie • Newsletters (Determine critical content for month, set information cutoff date, set date for when labels/stamps needed, set date/weekend of distribution to residents, etc.)
 - Sally • Polling contact for Registrar of Voters
 - Susie • Certified Letters for Members in Arrears
 - Barry • Escrow questions/explanations/requests
 - Annual Mtg letter w/proxy and flier followup
 - Creating/printing ballots for annual meeting
- Bill, Susie, Barry

MINUTES OF MEETING
OF THE BOARD OF DIRECTORS OF
PARK WILSHIRE IMPROVEMENT ASSOCIATION

May 5, 2004

A meeting of the Board of Directors of Park Wilshire Improvement Association, a California non-profit membership corporation (the "Association"), was held on the above date at the Association's office located at 2575 Park Wilshire Drive, San Jose, California, 95124, pursuant to notice duly given to all of the directors.

The following directors were present:

- Susie Fleming
- Bill Kaplan
- Brad McKay
- Barry Mangan
- Sally Van Der Wey
- Al Williams

Also present was:

- Chris Knox
- Shawnie Lauer
- Barbara Martinez

The following director was not present: Nick Tsois

Mr. Mangan called the meeting to order. Mr. Kaplan recorded the minutes.

- Senior Discount & Limited Access Membership. An extensive discussion was held concerning a proposals from Proprietary Member Steve Kelly to offer a reduced fee, a limited access membership, or one of a number of similar arrangements to senior Proprietary Members. Matters discussed included tax implications, administrative issues, and implications for other members. A majority of the members of the Board of Directors determined that no such arrangement should be offered at this time.

Action Item:

Mr. McKay - To discuss with Steve Kelly and covey view of the Board.

- Water Workout Class. Ms. Lauer proposed to offer a water workout class substantially as described in the attached Exhibit A (the "Class"), and reviewed the qualifications of the instructor candidates described in the attached Exhibit B. Following a discussion, upon a motion duly made and seconded, the Board of Directors unanimously adopted the following resolutions:

RESOLVED, that Ms. Lauer is authorized to organize the Class, and to hire Ms. Mardock as instructor, on the conditions that: (i) the Class is profitable to the Association and (ii) a lifeguard oversees the participants during instruction;

RESOLVED FURTHER, that the officers of the Association, and each of them, is authorized and directed, for and on behalf of the Association, to take such action as they deem necessary or advisable in order to carry out and perform the purposes of the foregoing resolution.

- Swim Lessons. Ms. Martinez reviewed various concerns regarding the organization and administration of swim lessons, and expressed her desire to assist in various aspects of lifeguard administration and swim lessons. Following a discussion, upon a motion duly made and seconded, the Board of Directors unanimously adopted the following resolutions:

RESOLVED, that Ms. Martinez is authorized to assist the Vice President of Membership and Director of Lifeguard Administration with all aspects of lifeguard and swim lesson organization and administration.

RESOLVED FURTHER, that Ms. Martinez will receive a credit of one-half of a single household swimming pool membership for the 2004 season in exchange for her continuous services during the season in support of the responsibilities and related activities of the Vice President of Membership and Director of Lifeguard Administration.

- Priority Eligibility for Swim Lessons. A discussion was held concerning the priority to be accorded people who are interested in swim lessons and water workout classes. Following a further discussion, upon a motion duly made and seconded, the Board of Directors unanimously adopted the following resolutions:

RESOLVED, that individuals signing up for swim lessons and water workout classes shall receive the following priority:

1. Proprietary and Associate Members who have paid swimming dues for the season.
2. Other Proprietary Members.
3. All others.

RESOLVED FURTHER, that the officers of the Association, and each of them, is authorized and directed, for and on behalf of the Association, to take such action as they deem necessary or advisable in order to carry out and perform the purposes of the foregoing resolution.

- Website. A discussion was held concerning various aspects of the Association website and recommended changes.

Action Items:

Mr. Knox - To add charter documents, pool rules, picture of pool with children to website.

Mr. Knox - To prepare introduction and collaborate with Mr. Kaplan on final document to propose to Board of Directors.

- Waiting List. Ms. Van Der Wey reported that there are currently 186 paid pool memberships. A discussion was held concerning the appropriate approach to filling the pool memberships from the waiting list and interested households that have not yet paid.

- Lifeguards. Following a discussion regarding the need for lifeguards at off-hours parties, upon a motion duly made and seconded, the Board of Directors unanimously adopted the following resolutions:

RESOLVED, that the Director of Lifeguard Administration is authorized to secure two lifeguards for off-hours pool parties, and to take such further action as he deems necessary or advisable in order to carry out and perform the purposes of this resolution.

- Other Swimming Pool Issues. A discussion was held concerning vandalism and other abuses of memberships and potential means of addressing, and various maintenance and repair issues related to the facility.

Action Items:

Messrs. Mangan, McKay, and Williams, and Ms. Fleming - To undertake spot checks of swimming pool from time to time.

Ms. Lauer - To place a reminder in the newsletter for members to bring membership cards to the pool.

Mr. McKay - To arrange cleaning of DE tanks and obtain estimates for repair of lights and painting clubhouse and restrooms, and report back to Board of Directors.

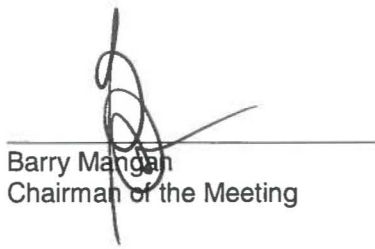
Mr. Williams - To repair and stock soda machine.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Bill Kaplan
Secretary



Barry Mangan
Chairman of the Meeting