

## Miroslav Babjarcik

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**From:** Rick Chou <rickchou55@hotmail.com>  
**Sent:** Thursday, November 24, 2022 3:00 PM  
**To:** jayun // 138  
**Cc:** Christina Donovan; Miroslav Babjarcik; Bethany Brown  
**Subject:** Re: EPS3084, VPD Project Access - Resignation

**Categories:** 05 - EPS 3084 Sequel 138

Hi Jayun,

I'd like to ask you to reconsider your decision as a valued member on council.

We each have our own opinion that's not the same as the council having a vision.

The vision below is building input for a decision without bias from council. I believe making important decisions with building input is the same vision you share even if the vision on this particular VPD program is different.

Rick

On Nov 24, 2022, at 2:42 PM, jayun // 138 <jn@138easthastings.com> wrote:

I missed the link entirely.

I think I am out of sync with the rest of council and that our vision for the building is very different. I don't want to leave you in the thick of it, but I don't think I belong on this council any longer.

Please accept this as my resignation.

Been a slice Miroslav, thanks for all your help.

On 2022/11/24, at 2:19 PM, Christina Donovan <[donovan.cmo@gmail.com](mailto:donovan.cmo@gmail.com)> wrote:

I'm open to editing how you see fit Jayun - I thought attaching the files for owners to review was sufficient.

And I am proposing this route for council to approve or disapprove. I personally would feel better granting VPD access, though I understand opposing opinions, which is why I think we need to open this up to a larger vote for owners.

On Thu, 24 Nov 2022 at 14:14, jayun // 138 <[jn@138easthastings.com](mailto:jn@138easthastings.com)> wrote:

No this was not agreed to in the meeting.

And the question "Do you approve VPD access to our building for emergencies" does not tell the whole story.

Of course people believe in VPD emergency access. We do it all the time.

This does not give the voter any background about the project or the parameters or the liability to strata for police actions.

It is completely biased.

On 2022/11/24, at 1:28 PM, Bethany Brown  
<[bethanycbrown@gmail.com](mailto:bethanycbrown@gmail.com)> wrote:

I am so sorry I missed the meeting tonight. Work went later than expected

I approve. I am guessing this is what was agreed to during the meeting tonight?

Warmest regards

Sent from my iPhone

On Nov 24, 2022, at 11:20 PM, Christina Donovan  
<[donovan.cmo@gmail.com](mailto:donovan.cmo@gmail.com)> wrote:

Hi Council,

I would like to hold an informal vote on this topic.  
Please see google form  
here: <https://forms.gle/DKjj9DRPUvEzJrt57>

I propose asking Miro to send this form to owners only  
with the following preamble:

**Hello owners,**

**In light of the recent police incidents and security concerns, the strata council would like to engage the VPD for emergency access to our building via the intercom. Please see the attached files for more information on the project.**

**To provide you opinion on this initiative, please fill out the google form**

**here: <https://forms.gle/DKjj9DRPUvEzJrt57>**

Please feel free to edit as you see fit.

Thanks,  
Christina

On Mon, 21 Nov 2022 at 08:59, Miroslav Babjarcik  
<[Miroslav.Babjarcik@fsresidential.com](mailto:Miroslav.Babjarcik@fsresidential.com)> wrote:

Hi Rick,

Tabled and added to your agenda,

I don't think this requires the Ownership vote on, like  
with any other contracts, Strata Council has the  
authority to do this,

I'm checking with Michael and will report back at the  
meeting,

Regards

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**From:** Rick Chou <[rickchou55@hotmail.com](mailto:rickchou55@hotmail.com)>  
**Sent:** Sunday, November 20, 2022 1:49 PM  
**To:** Christina Donovan <[donovan.cmo@gmail.com](mailto:donovan.cmo@gmail.com)>  
**Cc:** jayun // 138 <[jn@138easthastings.com](mailto:jn@138easthastings.com)>; Bethany Brown <[bethanycbrown@gmail.com](mailto:bethanycbrown@gmail.com)>; Miroslav Babjarcik <[Miroslav.Babjarcik@fsresidential.com](mailto:Miroslav.Babjarcik@fsresidential.com)>  
**Subject:** Re: EPS3084, VPD Project Access

Hi Miroslav,

Can you pause on this and table it for discussion on next steps at our next meeting? Please confirm if it requires a formal 3/4 vote to approve.

Thanks!  
Rick

On Nov 19, 2022, 8:08 AM -0800, Rick Chou <[rickchou55@hotmail.com](mailto:rickchou55@hotmail.com)>, wrote:

Hi Miroslav,

This is conditionally approved if it doesn't not require a vote for owners to approve. Please confirm.

Thanks,

Rick

On Nov 18, 2022, at 9:42 PM,  
Christina Donovan  
<[donovan.cmo@gmail.com](mailto:donovan.cmo@gmail.com)> wrote:

I approve if it's allowed

On Fri, Nov 18, 2022 at 11:46 jayun  
// 138 <[jn@138easthastings.com](mailto:jn@138easthastings.com)>  
wrote:

I do not approve.

I do not believe there has been a  
situation where the police have  
not been able to access the  
building in the 3 years I have lived  
here.

This from the agreement to be  
signed. I cannot agree to this. And  
cannot believe it is council's  
decision alone to authorize this  
without the majority vote of the  
owners.

## LIMITATION OF LIABILITY

The Counterparty now acknowledges  
and agrees that neither the VPD nor  
EComm,

nor any of their respective officers or  
other personnel (collectively, "the

VPD and E-Comm Group") will, under  
any circumstances, be liable for any  
direct,

indirect, incidental, special,  
consequential, punitive or exemplary  
costs,

expenses, losses, damages or liabilities  
incurred by the Counterparty or any of  
its

owners, residents, or occupants,  
(collectively the "Building Group")  
arising from

any act or omission of the VPD and E-  
Comm Group, which but for this MOU

would not or could have occurred,  
including, without limitation and by way  
of

example only, any loss arising from  
unauthorized access, systems failure or

breach of any term of this MOU by the  
VPD and E-Comm Group, and by  
entering

into this MOU, the Counterparty now  
agrees on its own behalf and on behalf  
of

the Building Group not to sue or make  
any legal claim against the VPD and  
EComm

Group for anything arising under this  
MOU and to reimburse the VPD and

E-Comm Group for any costs arising  
from anyone within the Building Group

suing or making a legal claim against  
the VPD and E-Comm Group under  
this

MOU.

## AUTHORITY

The Counterparty hereby represents  
and warrants to VPD that it has full  
power,

discretion and authority to enter into  
this legally binding MOU in relation to  
the

Property and to cause the due performance of its obligations hereunder and the

giving of full effect to the intent hereof.

On 2022/11/17, at 11:18 PM, Bethany Brown <[bethanycbrown@gmail.com](mailto:bethanycbrown@gmail.com)> wrote:

I approved

Sent from my iPhone

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<image001.png> **PETER CHAN**  
Senior Director Strata Operations

Direct 604.601.6360

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