

**ARCHITECTURAL CONTROL COMMITTEE MEETING****Tuesday, May 7, 2024 at 10:00 a.m.****Meeting was Conducted In Person and Virtually****Gateway Clubhouse – Board Room  
1001 Golden Rain Road, Walnut Creek, CA 94595**

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**MINUTES****Call to Order**

President England called the meeting to order at 10:04 a.m.

**Roll Call of Directors Present**

Mary A. England – President – District 5  
Peter Catalano – 1<sup>st</sup> Vice President – District 4 - Absent  
Young Chung – 2<sup>nd</sup> Vice President – District 3  
Jen Moreau – Secretary – District 2 – Absent  
Jean Autrey – Treasurer – District 1

**Mutual Operations Staff**

Jeroen Wright – Mutual Operations Director  
Bill Parsons – Resales/Alterations Supervisor  
Victoria Thomas – Board Services Coordinator

**Members' Forum**

Members were afforded the opportunity to express their concerns, make comments, or have questions for the Board. Comments included: Problem with neighbor's rehab as the back wall has been left open for approximately four days making it vulnerable for rodents to enter. Construction began prior to receiving a permit from the City of Walnut Creek. Parsons said he instructed Curiel Construction to seal the back wall by the end of the day. Wright said he would inspect the manor to ensure the back wall is sealed at the end of the day and will report back to the Board. Parsons reported on the alteration process: contractors cannot start a project until it is approved by the Mutual, once approved, the contractor takes the approval letter to the City of Walnut Creek to apply for a permit. MOD is short staffed and not able to conduct thorough inspections of all alterations. Resident opined that approvals of alterations in common area exclusive use violates the CC&Rs. Autrey clarified that the CC&Rs allow the Committee to approve and offered to show resident where its stated in the CC&Rs. England asked resident to give the Committee specific examples of what violations are being made. 2811 Pine Knoll closed their patio area in to living space that encroached into common area. Resident accused the Committee of having secret blank agendas to discuss construction projects near the resident. Common areas are being given to residents for exclusive use to increase the footprint of the manor, objects to the selling of the opportunity to vote via secret ballots to give away common areas. Committee denied this. Lots of remodels are being done without the Committee discussing and approving and asked what the criteria is for the alterations to be discussed.

Curiel Construction has a history of leaving walls open after hours, harasses residents, and caused thousands of dollars in damage to a resident's manor during a construction project on another manor and the Contractor wasn't held financial responsible. Asked why MOD continues to work with a contractors with continual violations. MOD does not override the City of Walnut Creek with regards to permits on alterations.

**FIRST WALNUT CREEK MUTUAL**

**Topics**

a. Encroachment of Common Areas for Exclusive Use

Alterations Policy on standard alterations and non-standard alterations needs to be amended and language on the exterior of the manor cannot be built on exclusive use common area needs to be amended. Law changed in 2006 on exclusive use common area. Any alterations made prior to 2006 are considered legal (grandfathered in). The Committee requested all alteration plans from 2006 for review to ensure they abided by the new law. The Committee will also have MOD's Landscape Staff review to see if any alterations extended into common area landscaping.

It was suggested that prior to members moving out they should be required to put common area back to its original footprint followed with the Alterations Dept. and Landscape Dept. inspection.

The Committee asked that future alteration applications outline the scope of work.

b. ALT #50947 Total unit remodel – upgrade kitchen and bathroom, washer/dryer, add a bathroom, enclose veranda, new windows

Sonoma model downstairs unit. Contractor is Barry Meals of North Valley Construction was in attendance to go over the scope of work.

Complete kitchen remodel, complete bath remodel, add new full bath, remove entry door and install new one with sidelights, replace existing bedroom windows, all windows will be in bronze to match existing aluminum windows in building, enclose balcony sections adjacent to dining room and living room. Committee asked if contractor could replace HVAC ducting. Contractor does not plan to do this as ducting is not in bad condition. Committee asked if waste lines can be replaced in the plumbing. Contractor plans to replace the kitchen waste lines. The sink is being moved so waste lines will be placed in the crawl space. No plans to replace the bathroom waste lines. Committee asked to replace the electrical panel. Contractor plans to upgrade the electrical panel to a 100amp circuit. Committee asked if there is a plan to sound proof. Contract does not plan to do this.

When tear out begins and is open the owner will have the Alterations Dept. go to manor to inspect.

*Motion made by Autrey, seconded by England, to approve the alteration application. Approved by unanimous vote. (3-0)*

c. Alt #50651 Unit remodel with bathroom addition

Sonoma model with wrap. Contractor is Perejra. Owner plans to move HVAC. Owner needs to replace ductwork. Installing an electric stove. Replacing water heater with a tankless water heater. Parsons will ask the owner about the 90amp on panel. Adding new cabinetry and appliances. Reconfiguring the bathroom. Venting for the dryer and water heater will go down and under.

*Motion made by England, seconded by Autrey, to approve the alteration application subject to conditions: replace ductwork, revisit electrical load study of 90 amps, owner's financial responsibility of the heater once relocated, and open ductwork inspection. Approved by unanimous vote. (3-0)*

Moving an original appliance requires an alteration. Once an original appliance is moved the owner becomes financially responsible for the appliance and any future costs.

**Adjournment to Executive Session**

There being no further business, the Committee Meeting was adjourned at 11:26 a.m. and the Committee moved into Executive Session.

**Executive Session Summary**

The Committee met in Executive Session from 11:35 a.m. to 114 a.m. to discuss legal matters.