

BOARD OF DIRECTORS REGULAR MEETING

Friday, February 28, 2025 at 10:00 a.m.

Meeting was Conducted In Person and Virtually

Creekside Clubhouse – Club Room

1010 Stanley Dollar Drive, Walnut Creek, CA 94595

MINUTES

1. **Call to Order**

Thomas called the meeting to order at 10:00 a.m.

2. **Roll Call of Directors**

Young Chung – President
Peter Catalano – 1st Vice President
Kevin Dowling – 2nd Vice President
Peggy Kaiser – Treasurer
Jean Autrey – Secretary

Mutual Operations Staff

Jeroen Wright – Director of Mutual Operations
Todd Arterburn – Chief Financial Officer – Virtually
Dave Peakes – Building Maintenance Manager
John Tawaststjerna – Landscape Manager – Virtually
Victoria Thomas – Board Services Coordinator

3. **Members' Forum**

Members are afforded an opportunity to address the board for up to 3 minutes. Comments included:

- Compost issues
- Request for a meeting in Executive Session.
- Importance of customer service. Complemented MOD workorder employees, new receptionist at Gateway, bus drivers, and the Board Coordinators are competent, professional, patient, and kind.
- Requested forms mailed to residents have a title explaining what the form is for.
- Comments on corporate suspension with Franchise Tax Board and board practices.
- Finance Committee should be an open Board Meeting with the practice of reconciling finances.
- FWCM needs to hire an accounting firm.
- Board Members managing districts and what their next steps are.
- Realtors, preparing a manor for sale, should be held to the same MOD contractor working rules as contractors.
- Lighting is expensive. Using light sensors would save money.
- It is too dark at nighttime. Request for more lighting.
- Landscaping - grass should be tended to twice a month.
- The Firewise Program should be reported on monthly. What is being done to prevent wildfires and how long it will take to complete projects.
- Lawn conversations are planned in the future for fire prevention.

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4. Consent Calendar

- a. Board of Directors Special Meeting Minutes – January 10, 2025
- b. Board of Directors Executive Session Meeting Minutes – January 10, 2025
- c. Board of Directors Regular Meeting Minutes – January 24, 2025
- d. Board of Directors Executive Session Meeting Minutes – January 24, 2025

Motion made by Dowling, seconded by Kaiser, to approve the Consent Calendar. Approved by unanimous. (5-0)

5. Report Out from Executive Session Meeting

- a. Report out from Executive Session on January 10, 2025. The Board met to discuss: Policy Violations from one resident:
 - Began construction prior to obtaining a permit
 - Removed asbestos from ceiling
 - Had a cabinet in the carportResident fined \$100 for each violation totaling \$300.00.
- b. Report out from Executive Session on January 24, 2025. The Board met to discuss: Reimbursement Assessments
Policy Violations:
 - Possible Smoking in Manor (no fine due to lacking evidence)
 - Unregistered person living in the manor (no fine due to lacking evidence)
 - Parking violation (no fine due to lacking evidence)
 - Carport violation. (no fine due to lacking evidence)
 - Electric Charging in Carport (permit was provided as evidence)

6. Treasurer's Report – Kaiser/Arterburn

Kaiser has not received the financials for January.

Effective February 21, 2025, the Mutual is in good standing with the Secretary of State and its corporate status has been reinstated. The process took longer than anticipated because the Mutual's application for reinstatement was referred to an FTB auditor, who made additional requests beyond the original request for payment of a late fee. The Mutual's CPA prepared and submitted the requested documents, and Mutual paid back taxes and penalties. The Mutual is in good standing with the FTB.

7. Mutual Operations Reports – Wright/Peakes

Wright Reported

- Staff is in the middle of negotiations with the Board Taskforce on the GRF Management Agreement. Currently, the boiler plate agreement is 99% complete. Appendices are being added to allow for more specific responsibilities and costs for each Mutual. Once the boiler plate is finalized it will go to legal counsel for review. Catalano requested that the Board receive the agreement to review prior to it going to legal counsel.

Motion made by Catalano that the GRF Management Agreement go to the Board for review prior to sending to legal counsel. There was no second to the motion therefore it did not proceed.

- Staff received many questions during the Firewise Presentation. Answers to the questions will be placed on Rossmoor's website. The presentation can be viewed on Rossmoor's website.
- Corporation Transparency Act – reporting on HOA Board Members is no longer required.

Peakes Reported

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Carpentry/Paint Rehab Work

The 2025 rehab program is ready to commence. Notices will be distributed to the buildings in advance of the work being done. All vendors will include their names and contact information on the notices. The work is done in 3 phases and in the following order: 1.) The carpentry crew replaces any dry rot and deficiencies. 2.) The deck coaters repair and seal the front and rear deck coatings where applicable. 3.) The painting crew will sand, caulk, prime and paint the building. This process is done in a 10 year cycle. I distributed a list of the buildings on this year's schedule at last month's Board meeting. This year's program will start with the San Franciscan style buildings at the following addresses: 2025, 2041 and 2301 Golden Rain Rd.

1901 Golden Rain Road

All 4 affected carport stalls have been stripped of sheetrock, power washed and thoroughly cleaned up. A scope of work for the put back has been drawn up and is in the process of being reviewed and then submitted to the City of WC for approval. Both Jeroen and I are involved in weekly meetings with representatives from McLarens (insurance), MKA (construction engineers), and Pound Management who is coordinating the rebuild. We have open lines of communication with the affected residents.

Entry 2 Pine Knoll

Last Friday (2/21) at approximately 11:00 a.m., a vehicle self-ignited in the parking lot at entry 2 Pine Knoll. Nobody was injured and there were no damages to any structures. The vehicle was parked in an open stall. The owner of the vehicle had just returned from having work done at a dealership and had gone into a residence to hear shouts of "Fire" minutes later. Fire trucks arrived within minutes and put out the fire. This was a gas powered vehicle.

Entry 5 Fairlawn

Excessive silt washed into the parking lot and carports at the top of Entry 5 Fairlawn. I had just installed a 3rd tier channel drain in hopes that it would alleviate this issue which seems to happen sporadically during the heavy rains.

The main basin is monitored and cleaned routinely when rains are anticipated. The overflows happen overnight or on weekends when extreme amounts of debris get washed down and overwhelm the basins and then overflow into the parking lot. Not much more can be done with the existing infrastructure in place. Other barriers could possibly be put in place to try and restrict the overflow. Otherwise, significant work is going to need to be done to the existing drain system and associated v ditches.

1108 Fairlawn Ct.

I was asked to investigate the source of a sewage smell and diagnose an ongoing mainline plumbing issue at 1108 Fairlawn. I spoke to a number of residents and could not verify any of these issues. The work order history shows no abnormal history of back-ups. I spoke with the resident at the #5 unit who initially addressed the concerns to me and asked that if the smell occurs to call me directly. She indicates that the smell is at the front of the building, the plumbing is in the rear.

1332 Rockledge Sidewalk Removal Project

Motion made by Chung, seconded by Dowling, to approve Five Star for the sidewalk repair in the amount not to exceed \$7,080 from the reserve account. Approved by vote. (4-1 Kaiser voted no)

Motion made by Chung, seconded by Autrey, to approve Five Star for the sidewalk/curb repair in the amount not to exceed \$9,995 from the reserve account. Approved by vote. (4-1 Kaiser voted no)

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Chief Financial Officer's Report – Todd Arterburn

- Netsuite is undergoing adjustments to resolve initial issues
The 2023 audit is in its final stages as we are currently waiting for the auditor to finalize their part.

Landscape Manager's Report – John Tawaststjerna

2100 Pine Knoll Entry 1 Building Rehab and Lawn Removal (Landscape Rehab Reserves)

- contract discussion moved to Executive Session

Landscape Maintenance

- Pre-emergent weed control
- Hard pruning of shrubs
- Thrip treatment for effected plants
- Fertilization of shrubs will begin in early March

Tree Maintenance

- Pruning
 - o Golden Rain Entries
 - Will begin in February
- Removal Permits
 - o 1140 Fairlawn E3 Liquidambar
 - Approved
 - o Oakmont Entry 10 Slope (3) Pine
 - Approved
 - o Oakmont Entry 9 Slope (4) Monterey Pine
 - Approved

Proposals for Approval

- 2100 Pine Knoll Entry 1 Building Rehab and Lawn Removal (Landscape Rehab Reserves)
 - o Calvin Craig Landscaping
 - o Brightview
 - o Terra

- Golden Rain E7/8 Erosion Control
 - o Brightview
 - \$4,182.98 (Landscape Rehab Reserves)
 - \$5,398.75 (Drainage Reserves)

Motion made by Kaiser, seconded by Dowling, to approve the Brightview proposal in the amount not to exceed \$4,182.98 for landscape rehab from the landscape rehab reserve account. Approved by unanimous vote. (5-0)

Motion made by Dowling, seconded by Kaiser, to approve the Brightview proposal in the amount not to exceed \$5,398.75 for drainage from the drainage reserve account. Approved by unanimous vote. (5-0)

- Rockledge E7 Erosion Control
 - o Brightview
 - \$7,346.37 (Drainage Reserves)

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Motion made by Chung, seconded by Kaiser, to approve the Brightview proposal in the amount not to exceed \$7,346.37 for drainage from the drainage reserve account. Approved by unanimous vote. (5-0)

8. President's Report

Repeated Jeroen's statement on the GRF Management Agreement.

9. Committee Reports

a. Budget and Finance – *Paul Moderacki*

No Staff present at the meeting.

Going forward the Committee plans to work with the CFO to gain knowledge on when and how the tax forms and payments are submitted to the state.

Asked where refunds are accounted for the Mutual.

Next meeting is March 18, 2025. Meeting is conducted virtually.

b. Landscape Committee – *Committee Chair Vacant*

Committee needs volunteers

c. Capital Projects Committee – *Mike Sund*

Based on input from the Board at the January Board meeting, the following is a list of projects the Capital Projects committee is either working on and/or will be working on in the future. It is well to point out that the Capital Projects committee is composed of 1.3 people. The .3 is Roy Yang who is also an engineer and has been selected to be on the GRF Board

1. Carport EV Chargers

(We have also started a second project on the risk associated with lithium-ion batteries)

2. Stand Alone EV Charging

3. Manor Electrification

(Cost as a stand-alone project)

4. Aluminum Wire

(Options, if any) for those manors that have it

5. Heat Pump

(Heat and AC)

6. Heat Pump Water Heaters

7. Micro Grid

(Self-sufficient electricity)

8. Water Drainage

9. Earth Quake Resiliency

d. Social Engagement Committee – *Committee Chair Vacant*

Committee needs volunteers

10. New Resident Orientation

Next Orientation Meeting is scheduled for April 8, 2025 at 10:00 a.m. in the Bunker Room at the Creekside Clubhouse.

11. Unfinished Business

Action Item

a. Adopt Proposed Amendments to Policy 25.0 – Voting and Election Policy – *Peter Catalano*

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Motion made by Autrey, seconded by Dowling, to adopt the revised Policy 25.0 Voting and Election Rules. Approved by vote. (4-1 Catalano voted no)

- b. *Revisit Visibility Contract – Peggy Kaiser*
Contract changed from twice a month to once a month. The contract was not signed.
Motion made by Dowling, seconded by Autrey, to approve Chung to sign the Visibility Contract on the Mutual's behalf. Approved by unanimous vote. (5-0)

- c. *Consider Nice Cans to Clean Organic Cans on a Regular Basis – Peggy Kaiser*
Nice Cans, will clean the carts at a cost of \$12 per cart per month. To clean just the green organic waste carts would cost \$14,112 a year. Peakes noted that the scope of the green bin problem does not warrant the cost. He suggested to only focus on the organic cans that require attention rather than undertaking cleaning for the entire Mutual.

12. New Business

Action Items

- a. *California Printing Invoice*
Kaiser and Catalano expressed their dissatisfaction regarding the mailing process of the 4041 and Resident Information Update forms to residents in October 2024.
Kaiser reported that she did not approve the invoice due to various reasons.
GRF offered to pay a portion, \$678 of the \$2132.41. Kaiser brought the offer to the board for their consideration.
Motion made by Autrey, seconded by Chung, to pay the \$2,132.41 minus the \$678 for which GRF will be responsible. Mutual will pay \$1,454.41 Approved by vote. (3-2 Kaiser and Catalano voted no)

- b. *Authorize Treasurer to Forgive Accounts Receivables Less Than \$400 – Peggy Kaiser*
Topic Deferred

- c. *Write Off on 23 Accounts Totaling \$(1,334.41) – Peggy Kaiser*
Topic Deferred

- d. *ECHO – Peggy Kaiser*
The Board's approval to join ECHO with a membership of 50 needs to be revisited in light of legislation that requires membership be extended to all members in the Mutual. Cost for the membership is \$750.00 per year.
Motion made by Dowling, seconded by Kaiser, to join ECHO for all members in the Mutual at a cost of \$750.00. Approved by vote. (4-1 Autrey abstained)

13. Informational/Discussion Items

- a. *Update on Porter & Lasiewicz filing tax returns needed to reinstate FTB status*
Previously discussed

- b. *Republic Services Replace Dirty Equipment for Clean Equipment – Peggy Kaiser*
Peakes noted that Walnut Creek has put the municipal garbage contract out for bid. The new contract may affect the type of service available to Rossmoor.

- c. *By-Laws- Review latest comments from attorney*

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Topic Deferred

- d. Use of smoke detection equipment in alleged smoking violations
Topic Deferred
- e. Procedures for follow up on manor transfer issues
Topic Deferred
- f. Importance for Members to comply with Civil Code 4041 – *Peggy Kaiser*
Topic Deferred
- g. Escalating cost to send required Notices to members via US Mail – *Peggy Kaiser*
Topic Deferred
- h. The Board should choose a parliamentary for the Board and Committees to follow when conducting meetings – *Peggy Kaiser*
Topic Deferred

14. **Announcements**

The next scheduled meeting is the Board of Directors Regular Meeting on March 28, 2025 at 10:00 a.m. at the Event Center in the Donner Room and virtually.

15. **Adjournment to Executive Session**

There being no further business, the Board of Directors Regular Meeting was adjourned at 12:02p.m. and the Board moved into Executive Session.

16. **Executive Session Summary**

The Board met in Executive Session from 12:05 to 1:19 p.m. to discuss disciplinary hearings, formation of contracts, and member matters.

Board Assistant Secretary's Certificate

I hereby certify that the foregoing is a true and correct copy of the minutes.

Victoria Thomas