



FIRST WALNUT CREEK MUTUAL

BOARD OF DIRECTORS REGULAR MEETING

Friday, November 17, 2023 at 9:00 a.m.

Meeting was Conducted In Person and Virtually

Gateway Clubhouse – Board Room
1001 Golden Rain Road, Walnut Creek, CA 94595

MINUTES

Call to Order

President England called the meeting to order at 9:06 a.m.

Roll Call of Directors

Mary A. England – President – District 5
Vacant – 1st Vice President – District 4
Young Chung – 2nd Vice President – District 3
Jen Moreau – Secretary – District 2
Jean Autrey – Treasurer – District 1

Mutual Operations Staff

Victoria Thomas – Board Services Coordinator
Dave Peakes – Building Maintenance Manager
John Tawaststjerna – Landscape Manager

Residents' Forum

Members were afforded the opportunity to express their concerns, make comments, or have questions for the Board. Comments included: golf cart electrical charge \$60.00 per year and \$240.00 per year for the golf cart port expressed the costs are excessive, a minimum of three months is required when subleasing a manor and some residents are advertising in the Rossmoor newspaper for less which is a violation of the Mutual's policy, coupon increase is \$166 per month per manor, drains in Entry 1 need to be cleaned.

Action Items

- Move Appointment of Vacancy on the Board of Directors for District 4
Pat Donahue resigned her position as 1st Vice President. The Board met and selected a new Director for District 4, 1st Vice President. Peter Catalano has been appointed for the position.
- Add Minutes
No discussion.
- Add Clearesult MCE Agreement
No discussion.
- Add Proposed Architectural Control Committee Charter
No discussion.

Motion made by Young, seconded by Moreau, to amend the agenda. Approved by unanimous vote. (4-0)

Discussion – Autrey stated that the Clearesult MCE Agreement should be more specific. The topic should be MCE EV Charging Technical Assistance Form.

Consent Calendar

- a. Board of Directors Executive Session Meeting Minutes – October 4, 2023
- b. Architectural Control Committee Meeting – October 6, 2023
- c. Annual Members & Organizational Meetings – October 10, 2023
- d. Board of Directors Executive Session Meeting Minutes – October 13, 2023
- e. Board of Directors Regular Meeting Minutes – October 27, 2023
- f. Board of Directors Executive Session Meeting Minutes – October 27, 2023
- g. Architectural Control Committee Meeting – November 15, 2023

Motion made by Autrey, seconded by England, to approve the Meeting Minutes as posted. Approved by unanimous vote. (4-0)

Treasurer – Jean Autrey/Tom Hand/Ann Prichard

Cash in Bank - Operating 7,434,818

Includes an unknown amount for the property fund

Cash in Bank & Sweep Accts - Reserve 9,374,253

Note: Sweep level is \$50,000

Net Income to Date 958,351

Ending Fund Balances

Operating 5,033,908

Property 6,835,241

Reserve 9,381,827

Accounts Receivable -Assessments 101,456

Accounts Receivable - 3rd Party Billing & Other* 1,963,671

Total Receivables: 2,065,127

* Includes an unknown amount due from insurance re 2925 fire rebuild

A/R Detail is incomplete

Under/(Over) Budget (excluding revenue)

Current Month 150,238

Year to Date 83,766

Categories - Operating YTD

Building Maint & Public Works 123,312

Landscape Maintenance	(8,400)
Custodial Services	(5,676)
Insurance	34,692
Utilities	(84,919)
Professional Svc	41,924
Other General & Admin	(17,167)
	83,766

A/R collections are ongoing.

The cost to us for the Mutual 2 fire on 6/9 was \$71,396 paid 7.23

Motion made by Autrey, seconded by England, to approve compliance with Civil Code §5500. Approved by unanimous vote. (4-0)

Mutual Operations – Jeroen Wright/Dave Peakes

Carpentry/Paint Rehab Work

Carpentry crews are working to finish up this year's schedule before the rainy season starts. Currently work is being done by one crew at 2233 and then 2241 Pine Knoll Dr. Another crew is about halfway through the maintenance rehab at 3241 Golden Rain Rd. Painters are following up and are currently working at 2008 Pine Knoll Dr. and 2061 Pine Knoll Dr. I will have the carpenters start the firewall installations in the attics of the G-11's before the years end.

Electrical Panels

To date, Gauthier Construction has replaced 71 interior panels leaving 9 left from the original list put together by Pure Electric. I have asked that they put together another list of 100 panels for next year based on the information gathered from the annual inspections. This years data has not yet been reviewed for an accurate count on exactly how many original interior panels remain, but an estimate of between 400 to 500 is determined to be a solid approximate.

PG&E

VPI (Veteran Power) has completed the running of the underground conduits for the electrical powerline upgrades in FWCM at entry 7 Rockledge. Next step will be for PGE to run the lines and then do repairs on any concrete, asphalt and landscape.

Landscape Manager's Report

Landscape Maintenance

- Irrigation has been turned off
- Weekly leaf debris clearing of pathways in all entries
- Drain and v-ditch clearing

Tree Maintenance

- Rockledge yearly pruning will begin for all entries this month
- Fairlawn yearly pruning will follow in December
 - o All entries will have been pruned for health, building clearance, and safety once Fairlawn is finished
 - o Yearly pruning will start again along Golden Rain in January

Proposals for Approval

- Rockledge Entry 9 Hillside Planting

- Not to Exceed \$19,811.91
- Reserves

Motion made by Autrey, seconded by Moreau, to approve a not to exceed \$20,000.00 for Rockledge Entry 9 Hillside Planting to be paid from Reserves. Approved by unanimous vote. (4-0)

- Rockledge Entry 6 Yearly Pruning
 - \$7,110.00
 - Reserves

Motion made by Moreau, seconded by England, to approve \$7,111.00 for Rockledge Entry 6 Pruning to be paid from Reserves. Approved by unanimous vote. (4-0)

Tawaststjerna reported that landscaping is currently cleaning drains. Silk fencing was added to several drains to prevent debris from going down the drain and clogging drains. He is researching for a new contractor as current pricing is higher than others. The Board requested Tawaststjerna to bring the contract to the next Board meeting for review of off-hours.

Committee Reports

Budget and Finance Committee

No report

Landscape Committee

Due to insufficient attendance, there was not a quorum for official business. Pat Power, Mary England, Don MacGregor and John Tawaststjerna were in attendance.

Resident Forum included two residents' questions which were answered by the group.

Announcement of resignation of District 4 Representative Norm Andrews.
Thank you for your service Norm.

Mary England's announcement of recruitment of new District 4 Representative. Subject to Board approval will be active as of November 2023.

Following informal discussion of varied topics, updates on projects, meeting adjourned early.

Governance Committee

The Committee reviewed the Alterations Policy. Over the past month, the Governance Committee has held two special meetings (two hours each) to review the First Mutual Alterations Policy, the goal being to arrive at recommendations for revision. Work continues, with a third Special Meeting scheduled for December 12, 2023. The next regular monthly meeting of the Committee is scheduled for November 28, 2023 at 2:00 p.m. in the Vista Room at Hillside.

Capital Projects Committee

Pamela Hudson is the new Committee Chair.

The Board approved Electrical Engineering RFP with changes to objectives paragraph. "Response by" date change required, which will be finalized at the next Board of Directors meeting with a recommendation to authorize sending RFP to select contractors.

The Committee recommends the Board sign the MCE Energy Efficiency Agreement. There is no obligation, no MCE account required.

The Committee recommends the Board sign the MCE EV Charging Agreement. There is no obligation but does require First Walnut Creek Mutual to have an MCE account.

Storm drainage and flood control – Discussed rough draft of proposal and documentation of Oakmont and Fairlawn issues and circulated working copies to John Tawaststjerna and Dave Peakes. Will arrange in-person meeting(s) with MOD to discuss and finalize (after 2024 budget completion). MOD’s attention to this is urgently needed.

Social Engagement Committee

The Committee is an Ad-Hoc Committee charged with submitting a report. It is estimated that a report will be submitted in December – January.

The Committee held a “Meet Your Director” meeting. 34 residents were in attendance. Dave Peakes attended the meeting.

President’s Report

England reported on the Presidents’ Forum wherein discussions were on insurance and the Bylaws need to be revised to reflect insurance language changes. GRF asked the Board Presidents to revise the Management Agreement. The project has been broken up into several phases: 1) Insurance language will be added, 2) Retain a law firm to assist with mediating the Management Agreement, and 3) Participate in negotiating the Management Agreement.

New Resident Orientation

The next New Resident Orientation is scheduled for December 19, 2023 at 10:00 a.m. in the Club Room at the Creekside Clubhouse.

Unfinished Business

Action Items

a. Clearresult MCE Agreement

EV Charging Agreement is to work with MCE to engineer free standing charging ports. MCE will provide options on charging stations: 1) Add enough capacity that members can add EV charging in their carports, 2) Install EV charging stations that accept credit cards for payment.

Motion made by Chung, seconded by Moreau, to authorize Mary A. England as the Director to sign the contract with MCE Agreement. Approved by unanimous vote. (4-0)

b. Authorize Capital Projects Committee to proceed with MCE EV Charging Technical Assistance from CLEARresult
No discussion.

c. Golf Port and Golf Cart Electrical Fee Structure

Autrey recommended that the fee structure be reviewed by the Finance Committee and brought back to the Board for a vote.

Motion made by Moreau, seconded by England, to approve the Finance Committee review the fee structure. Approved by unanimous vote. (4-0)

d. Proposed Architectural Control Committee Charter

Motion made by Moreau, seconded by Chung, to adopt the Architectural Control Committee Charter. Approved by unanimous vote. (4-0)

New Business

Action Items

- a. Authorize legal counsel to draft policy for required manor annual inspections.
Autrey reported that there is no language in the Governing Documents that requires an annual inspection on manors and proposed language should be added.

Motion made by Moreau, seconded by Chung, to authorize legal counsel to draft a policy requiring manor annual inspections. Approved by unanimous vote. (4-0)
- b. Authorize legal counsel to revise the Governing Documents to be more specific about resident responsibility for damages caused by the failure of their alteration.

Motion made by Chung, seconded by Moreau, to authorize legal counsel to revise the Governing Documents language on damages caused by the failure of a resident's alteration. Approved by unanimous vote. (4-0)
- c. Authorize legal counsel to draft revised Bylaws for Property Insurance Coverage
Topic was deferred.
- d. Alteration requirements for Level 1 electric vehicle charging in exclusive use common area carports.
Topic was deferred pending RFP recommendations.
- e. Helsing Reserve Study
\$174.00 per manor per month. Association's Reserve Contribution 2024 \$3,921,264.00

Informational Items

- a. Follow-up process on Carport Inspection Report
Projects Steps
 1. Cross reference Carport Inspection Report with Resident Listing to identify Member's District, name, and address.
 2. Create Excel spreadsheet of violators sorted by District and by type of violation that includes names and addresses.
 3. Post an article in the Rossmoor News re: Carport Inspection Project. - Mary
 4. Identify violators that specifically need to clean their carport separate from violators of other types. ("other types" are: EV charging, mark emergency supplies in bins, trickle charges, etc.). Victoria will mail out the "other types" letters and will outsource the "clean their carport" letter to a printing company.
 5. Develop generic letter to Members regarding carport cleanup with a due date of January 1, 2024 (due date may need to be extended dependent upon the length of the project), reference in letter policy and include website link to the policy. – Mary & Victoria
 6. Have CA Quality Printing mail the letter to violators (send letter and Excel spreadsheet). - Victoria
 7. District Director follow-up with reinspection. Board decides on options: Option 1) Create a report to give to Victoria requesting a second letter be sent allowing the violator two more weeks to clean the carport or Option 2) Go directly to Notice of Hearing. – Board & Victoria
 8. Schedule Executive Sessions for continued violations (this will be multiple meetings – two hours each meeting allows for 16 Hearings).
 9. Decide on 1st fine and 2nd fine – Jean
 10. Mail Result of Hearing letters to violators - Victoria

b. Board Liaison assignments and roles

The Board determined that each Committee should have a Board Liaison.

- Landscape & Governance Committees will be Mary England
- Social Committee will be Jen Moreau
- Social Engagement Ad-Hoc Committee will be Jean Autrey
- Capital Project Committee will be Young Chung
- Budget and Finance Committee will be Jean Autrey

c. Heat pump HVAC pilot

- Water cooled AC replacement project

An estimate was received one year ago totaling \$12,100.00. Cost for a conversion from gas to an electric heat pump and AC. Cost includes equipment, permits, and labor.

It is estimated that the estimate will increase to \$16,000.00. There would be an additional cost for Gauthier (or another vendor) to run lines.

Money has already been earmarked in the budget for this project.

d. Reserve Study conversion – Confirm dates for contract with FAI.

There was no discussion.

Announcement

The next scheduled meeting is the Board of Directors Regular Meeting is December 22, 2023 at 10:00 a.m. in the Fireside Room at the Gateway Clubhouse.

Adjournment

There being no further business, the meeting was adjourned at 10:55 a.m.

Secretary's Certificate

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

Victoria Thomas